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HANSARD'S

PARLIAMENTARY

DEBATES:

FORMING A CONTINUATION OF THE WORK ENTITLED

"THE PARLIAMENTARY HISTORY OF ENGLAND,

FROM THE EARLIEST PERIOD TO THE YEAR 1803."

New Series;

COMMENCING WITH THE ACCESSION OF GEORGE IV.

VOL. XXIII.

COMPRISING THE PERIOD FROM

THE NINTH DAY OF MARCH,

TO

THE SEVENTH DAY OF APRIL, 1830.

[Second Volume of the Seſsion.]

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1830.

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HANSARD'S

Parliamentary Debates

During the FOURTH SESSION *of the* EIGHTH PARLIAMENT
of the United Kingdom of GREAT BRITAIN *and* IRELAND,
appointed to meet at Westminster the 4th of February,
1830, *in the Eleventh Year of the Reign of His Majesty*

GEORGE THE FOURTH.

[*SECOND VOLUME OF THE SESSION.*]

HOUSE OF LORDS.

Tuesday, March 9, 1830.

MINUTES.] On the Motion of the Earl of SHAFTESBURY, an Address was presented to his Majesty, for a copy of the second Report of the Commissioners for Inquiry into the proceedings in Suits in the Superior Courts of Common Law.

On the Motion of the Earl of ROSSLYN, Lord ELLENBOROUGH'S Divorce Bill, after Counsel had been heard, was read a second time.

HOUSE OF COMMONS.

Tuesday, March 9.

MINUTES.] MR. WARD took the Oaths and his Seat as Member for Leominster.

Accounts were ordered, on the Motion of Mr. HUME, of Cotton Yarn and Twists exported from this Country from 1826 to 1829, inclusive, together with their value, &c.:—of the Four and a Half per Cent Duties on Goods imported into Barbadoes, and other neighbouring Colonies, which had before been laid on the Table, down to 1819, to be brought down to the present time, with a view, as the hon. Member said, of attempting to relieve the West Indies from this charge, which they were quite unable to bear:—Of the persons employed in Commissions of Inquiry in the year 1829, of the Balances paid them, of the Expenses of the Commissions and of the Reports made to the House.

On the Motion of Colonel SIBTHORP, Accounts were ordered, of all Persons in the Civil and Military Establishments of Great Britain and Ireland holding two or more situations, or receiving two or more pensions or allowances, in the year 1829, with the name, date, &c.:—of all Offices, Pensions, Fees, and Allowances of any kind, held in Reversion; with the names of the occupant, the reversioner, the date, and the particulars.

On the Motion of Sir JAMES GRAHAM, of the Names and Offices of all Persons now employed in the respective Civil Departments of the United Kingdom, whose Salaries and Emoluments exceed 250l. per annum; shewing the compensation amount in 1815 and 1829; the grounds on which increase, if any, had been made, and giving the date of that increase:—of the Net Amount of the Revenue collected in each Department, and the rate per cent at which such collection was made:—of the Items of the Expenditure, including charges for conveyance out and home, and for outfit, of the Diplomatic Consular Establishment to the New States of South America, with the time of Residence of each Consul, since January 1st, 1825.

Notices were given by Sir JAMES GRAHAM, that, on Friday next, he would move for the following Return:—Of all Salaries, Profits, Pay, Fees, and Emoluments, whether Civil or Military, from 5th January, 1829, to the 5th January, 1830, held and enjoyed by each Member of the Privy Council; specifying the total amount received by each individual, and distinguishing the various sources from which they were derived; and also that, on Friday, before the House resolved itself into a Committee on the Navy Estimates, he would move a Resolution respecting the recent appointment of the Treasurer of the Navy.

Leave was obtained by Mr. POULETT THOMSON, to bring in a Bill to Amend the Laws relating to Usury. A Bill was brought in to regulate the Office of Sheriff in Ireland. The Game Bill was read a second time. The Exchequer Bills Bill, and the Transfer of Aids Bill were passed. The Mutiny Bill went through a Committee. The Pensions and Duties Bill was read a first time. The Estimates of the Army Extraordinaries, Civil Contingencies, and expense of the Commissariat Department were laid on the Table. An humble Address was ordered to be presented to his Majesty, for a copy of the Commission issued for Inquiry into the Ecclesiastical Courts of England and Wales: also for an Account of the Expenditure, including Charges of Conveyance and outfit for Diplomatic and Insular Establishments in the New States of America.

HERRING FISHERY—SCOTLAND.] Mr. *Cutlar Fergusson*, in presenting a Petition from the Magistrates and others of Cromarty, engaged in the cure of Herrings, praying for the continuance of the bounty on that branch of industry, stated that the people engaged in this trade, by aid of this bounty had been enabled to carry it on, and that it nourished 48,000 seamen, as hardy as any in Britain. If it were withdrawn, these men would be unable to obtain a living. Many of them, too, had been driven from their former dwellings by its having been found expepedient to appropriate the land to a different purpose, and they had found a resource from starvation in this fishery. He did not suppose it would be necessary for him to point out to the House the importance, in a national point of view, of our fisheries as forming a nursery for our seamen; but he must say, it would be very impolitic were the Government to embrace any policy which would drive these men from our shores, and compel them to seek a home and employment in a foreign land. He was well aware of the theory on which these bounties were withdrawn; but he must say, practically speaking, to turn such a body of men from our shores, at a time when France and Holland were encouraging their commerce to the utmost of their power, was neither politic nor wise. It was breaking up our naval militia. The petitioners stated, that the bounty would not be wholly lost to the state, but repaid in the shape of various taxes, which, without this bounty, they would be unable to pay, and unable to get a living. The petitioners prayed that the Government would at least continue a part of the bounty, for if it were all withdrawn, they declared that it would be utterly unable for them to carry on their business. On a subject of so much importance, he hoped he might be excused if he earnestly called on the House and the Government to give it their serious consideration.

AGRICULTURAL DISTRESS.] Sir *William Rowley*, in presenting Petitions from several Hundreds in Suffolk, praying for the remission of the Duties on Malt and Beer, stated that the petitioner, in common with all the agriculturists, were suffering under vast distress, which they said was much enhanced by the Duties on Malt and Beer pressing particularly on them, by preventing the consumption of Barley. He earnestly prayed, that the Government would give ear to the petitioners, and give relief to the Agricultural Interest, by repealing these and other burthens.

DISTRESS IN THE IRON TRADE.] Mr. Alderman *Thompson*, in presenting a Petition signed by 400 respectable inhabitants of Merthyr-Tydvil, complaining of great distress, said that the petitioners had so little business, and profits were so low, that they were hardly able to exist. The manufacturers and artizans having barely the necessaries of life, the shopkeepers and tradesmen were suffering most severely, and many of them had no business at all. The petitioners prayed for a reduction of taxation, as the only means of relief. He could bear his testimony to the truth of the petition, but he was bound to add that he believed the pressure would speedily pass away. He would enter into further particulars did he not anticipate a better opportunity for doing so when the hon. Member for Newcastle-under-Lyne brought forward his motion.

Sir *Christopher Cole* bore his testimony to the severe sufferings of the petitioners, and at the same time said, they had, in the midst of all their sufferings, displayed invariable loyalty and good conduct. He was happy, however, to say, that there had of late been a gradual improvement in the trade of that part of the country.

Petition read and printed.

Lord *Althorp* presented a Petition from the Grand Jury of the County of Northampton, complaining of the sums of money paid for passing Irish and Scotch Vagrants. It was difficult, his Lordship said, to credit the expense to which parishes were subject on this account. A single parish, in 1825, paid 797*l.* for the purpose; in 1828 it paid 688*l.*, and last year 777*l.* If by this expense those paupers were permanently removed, so as not again to become a burthen, it might be borne, but it unfortunately happened that the same expense was incurred, year after year, in passing the same identical paupers, who amused themselves apparently travelling through the country at the expense of the different parishes. Some legislative provision was, he thought, necessary on this subject, and he hoped hon. Members would attend to it.

Mr. *Cartwright* stated, that he fully concurred in what had fallen from the noble Lord, and agreed with him that some remedy ought to be applied to this evil. The necessity of passing vagrants caused an enormous expense to parishes.

Mr. *Greene* concurred in this representation of the evil. In the absence of a noble Lord (Stanley), he begged to say that it was his intention to bring some measure respecting this subject under the notice of the House at an early day. He knew of one parish in Lancashire which was subject, on this account, to an annual expense of nearly 3,000*l.*

Mr. *Cutlar Fergusson* said, that there was abundant proof of the expense occasioned by Irish vagrants; but he knew no examples of money thus spent in the conveyance of Scotch vagrants. Scotland would be glad to maintain her own vagrants, if she had none others to support, but she was burthened to a great extent with the expense of supporting Irish paupers.

Mr. *Munday* expressed his satisfaction, that an evil which had long been seriously felt in many parts of the country, had at length attracted the attention of the House, and he hoped that the committee, for which he understood the noble Lord meant to move, might devise some remedy.

Sir *James Graham* said, he could inform his hon. friend the Member for Kircudbright, that the expense of passing Scotch paupers was very considerable in the county which he represented.

Mr. *C. Davenport* could also inform the House, that where he resided, the expense of passing Scotch and Irish paupers was very great, and he would give his strenuous support to any measure for relieving the country from this enormous expense.

Sir *M. W. Ridley* also asserted, that the expense of passing Scotch vagrants was very considerable, and which fell very heavy in some of the northern counties. Where he resided it was very severely felt, and would, he was afraid, continue as long as the practice was continued of banishing men from Scotland. Whether that were a punishment or not to the individuals he would not say, but it was a severe infliction for the northern parts of England which had to pay for the passing and repassing of these banished Scotchmen.

Mr. *O'Connell* thought, that if Irish vagrants were to be driven from this country, their deportation should be provided for at the expense, not of the country to which they were going, but of that in which they had spent their life, and enriched by their labour. It would be cruel on those men, after having spent their youth in the service of England, to send them back in their old age to starve in Ireland, or be a burthen on a land they had voluntarily quitted. There was another class of vagrants he should like to see transported to Ireland. He meant the rich vagrants, who collected their rents in that country, to spend them in foreign lands.

Mr. *Littleton* said, that he did not think the case of the Irish vagrants was quite what the hon. and learned Member for Clare represented it. They did not benefit the country one-half so much by their labour as they injured it by the excessive competition they introduced, and the paupers their system of working created. He could assert, that they were a real grievance to the central counties. Staffordshire alone had paid 2,000*l.* a-year for the expenses of their removal, and the sum was increasing. He trusted the hon. Member for Lancaster would soon submit to the House some measure to remedy this evil.

Mr. *George Dawson* said, that injustice was often committed towards Ireland in removing thither the female vagrants with whom the men had formed connections in this country. With regard to Scotland, he could show that invitations were often sent over to Ireland for labourers to go to Scotland, where they were wanted to underwork the active labourers of the soil, and they were then sent back in a very miserable condition, after they had served the purposes of those who had called them over.

Mr. *Cutlar Fergusson* observed, that the hon. Gentleman must be mistaken, as Scotland unfortunately possessed no power of sending back the vagrants to their own country. That was the great defect in her law. In one county alone there had been 40,000 Irish paupers. He repeated what he had before said, that Scotland would gladly maintain her own poor if she had no others to support. In reply to his hon. friend, the Member for Cumberland, he would say that he did not assert that there were no Scotch vagrants in England, but only that the number was small.

Mr. *Griffith* said, the hon. and learned Member for Clare was mistaken in the way in which he had spoken of the Irish vagrants. Our great evil was, that as soon as they had been sent back to Ireland they came back again, and out of a large number very few would at any time be found who had not been in this country before. They made a trade of this passing and repassing between the two countries.

Sir *R. Heron* said, that the Irish labourers who found their way into Lincolnshire were very useful, and he had generally found them to be very orderly, well behaved men.

General *Gascoyne* declared that the Irish vagrants were a grievous tax upon the people of Liverpool. One-half, or nearly two-thirds of the taxes raised in that town for the poor, were directly or indirectly consumed on account of the Irish vagrants. He thought an act ought to be passed declaring that every person who brought over an Irishman here, and did not give security that he should not become a burthen to any parish, should be liable either to pay a penalty, or to have him sent back to Ireland. He was quite sure that England would gladly take back all her paupers, from both Ireland and Scotland, if those two countries would undertake to receive their own from this country. He hoped the noble Lord would lose no time in bringing forward his promised measure.

Mr. *Slaney* thought, that all the schemes for preventing the emigration of the vagrants of one of the three countries into either of the other two would be found useless, so long as the condition of the labouring classes in either of the three was superior to that of the same men in the other. The only mode of preventing the emigration of Irish vagrants here was to raise the condition of the peasantry of that country, and to place them as nearly as possible on a level with the peasantry of England.

Mr. *O'Connell* denied, that the poor of Ireland were any worse off than those of England. At least, they were not subject to the tyranny of parish overseers and select vestries.

Sir *C. Burrell* contended, that select vestries, which in London were considered such evils, in the country produced great advantage. They exercised no tyranny over the poor, but promoted their happiness.

Mr. *G. Dawson* contended, in opposition to what had fallen from the hon. and gallant Member for Liverpool, that that town derived the highest benefit from its contiguity to Ireland, instead of sustaining any injury, and that the Irish labourers paid in the sweat of their brows for whatever they obtained in this country. Very few cases could, he believed, be found, of an Irishman being a willing pauper. He would be glad to work if he could get employment, and only begged when he was sick or out of work.

Mr. *Benett* argued that the evil arose out of a difference of laws relating to the poor prevailing in England and Ireland. The sure remedy was, to establish the same Poor-laws in both. The existing tithe-system in Ireland prevented the outlay of capital upon the land there, and the extension of cultivation. If some equitable means could be found out for commuting the tithes there, it would give, he believed, a great stimulus to the demand for labour in the country, and both keep the peasantry at home, and improve their condition.

Mr. *Protheroe* concurred with the hon. Member for Wiltshire, and said, he was sure that the evil must speedily be remedied some way or other.

Sir *Robert Inglis* stated, that the expense of removing every pauper was as great as if he were sent by the mail, and the expense fell on counties lying betwixt Liverpool and London, which derived little or no benefit from the labour of Irish labourers.

Petition read.

WELSH JUDICATURE.] Mr. *R. Trevor*, after observing that he wished the Judges of Wales to be placed upon the same footing as those of England, and that he for one could not consent to the dividing and mixing up of counties for the sake of making assize districts, presented a Petition from the freeholders of the County of Carmarthen against the Bill for the alteration of the Welsh Judicature. The hon. Member added, that he in a great degree concurred in the prayer of the petition. There might be some improvements in the present system, but he could not agree to its total abolition. Some Gentlemen spoke of the Welsh law as a foreign code; it was, in fact, the old English law differently, and in some respects better, administered.

Petition laid upon the Table.

Sir *J. Owen* presented a Petition with the same prayer, from between 1,800 and 1,900 freeholders of the County of Pembroke. He concurred heartily in the prayer of the petition.

Mr. *Jones* presented a similar Petition from the Sheriff, Magistrates, &c. of the Borough of Carmarthen. The hon. Member trusted that no attempt would be made, as had been threatened, to hurry the Bill through the House before Easter. He looked on the proposed plan as an untried experiment, of which the good was doubtful, and before it was carried into execution he wished that the Bill should be printed, and circulated in Wales at least a twelvemonth. The Welsh had not complained of the present system, and when they did it would be time enough to alter it. He did not charge it against any member of the Government; but it had been said, that whether the Welsh liked the measure or not, they should be forced to swallow it. From that he claimed the protection of the House, and complained that the nature of the Bill had been kept as secret from those it was to affect, as if it were a state mystery.

Sir *C. Cole* said, that the borough of Glamorgan was in favour of the Bill before the House.

Mr. *Peel* denied that any mystery had been kept up regarding the Bill, which had originated in the recommendation of a commission, after due inquiry. It had been submitted to Parliament last year, and he had himself seen sixteen or eighteen gentlemen connected with the Principality on the subject, so that there was no pretence for saying that the matter had been kept secret. He, however, concurred in the objection that had been raised respecting the division of counties, and full time, he said should be allowed, to enable the people of Wales to give an opinion upon the whole measure.

Mr. *Jones* reiterated his objection to the alteration of the system, excepting as far as regarded placing the Welsh Judges upon the same footing as those of England.

Mr. *Peel* was ready to enter into this compact, that all due time for consideration should be allowed, provided the hon. Member and his friends would not throw needless impediments in the way, so as to prevent the passing of the Bill in the present Session.

Mr. *Jones* consented to these terms, and laid upon the Table two other Petitions, with the same prayer as that he before presented, one from the Burgesses and Commonalty of Carmarthen, and the other from Kidwelly.

Colonel *Powell* presented a similar Petition from the freeholders of the County of Cardigan.

JUDGE JEBB.] Mr. *O'Connell*, after referring to a charge given to the Grand Jury by one of the Irish Judges, which was in opposition to the tenor of a Proclamation issued by the Government, moved "that there be laid before the House a Memorial addressed to the Lord Lieutenant of Ireland, on the subject of certain prosecutions for murder to be tried at the next Assizes for the county of Fermanagh."

Lord *F. L. Gower* objected to the production of such documents, unless some ground of suspicion were previously laid: to grant it, would imply a want of impartiality in the executive government of Ireland, and the precedent would be liable to inconvenience and abuse. He heard with considerable regret anything like an insinuation against a member of the Bench of Ireland—Judge Jebb; and he felt bound to state, that were his own life in jeopardy on any charge, he should think he could not intrust it to any Judge more safely than to that distinguished individual.

Mr. *Peel* thought it would be dangerous to set a precedent like that now attempted to be established. It appeared that a judge of one of the superior Courts of Ireland differed in opinion from the executive government on the subject of a certain proclamation. Judges were intended to control the executive government when it attempted unduly to interfere with the liberty of the subject. He protested against the production of the memorial.

Mr. *O'Connell* did not intend, in the most remote degree, to charge the Lord Lieutenant of Ireland with partiality: any man who did so would be guilty of a high crime, inasmuch as he would do gross injustice to that noble personage. The parties accused felt their lives at stake, as a judge who had expressed such a hostile opinion was about to try them. He thought that the better mode would be for the parties interested to present a petition.

Mr. *Peel* added, that he did not mean to impute the slightest partiality to the executive government of Ireland, and he was himself a party to the proclamation from which Judge Jebb had dissented.

Mr. *O'Connell* withdrew his Motion.

EAST INDIA CHARTER.] Mr. *Littleton*, in presenting a Petition from the Proprietors of various Iron Mines in the Counties of Stafford and Worcester, against the Monopoly enjoyed by the East-India Company, complained in strong terms of the privations to which the operatives in that trade were exposed, and adverted shortly to communications which he had some time ago had with the President of the Board of Trade. The parties to the present petition had then remonstrated against admitting foreign corn and steel into this country. Their remonstrance had been effectual, and they had now become sensible of the justice of the views they there opposed.

Mr. *Huskisson* remembered the application made by the hon. Member at the Board of Trade, and he also remembered telling him, and those by whom he was accompanied, that the hardware trade of this country would be most materially improved and benefitted by the introduction into this country of the lighter productions of other countries; and he had no doubt that that effect would be produced were the cause allowed to come into full operation. He was formerly of opinion that allowing the raw material to be brought into this country, would be a benefit; our manufacturers would be able to make their articles cheaper, and foreigners have something to exchange for them. He was glad to find that the people were beginning to be sensible of the advantages of the liberal policy he had recommended; and had that not been followed, he believed that our present difficulties would have been much greater. He would not then enter further into the subject, but he could not permit that opportunity to pass of acknowledging the honourable and candid manner in which the gentlemen who attended on that occasion, and formerly opposed him, now admitted that the measures then in progress for removing the restriction on foreign trade have turned out for the good of the country; and that the originators of those measures intended them to be productive of good.

Mr. *Robinson* thought the right hon. Gentleman drew a hasty conclusion when he inferred, because these petitioners were not suffering, that his measures must have been beneficial to the whole country.

Mr. *Littleton* said, the petitioners were suffering much; that no one engaged in the Iron Trade in England, Wales, or Scotland, was free from very severe privations.

The Petition was brought up and ordered to be printed.

SUPPLY.] Mr. *Fysche Palmer* then rose;

Sir *Henry Hardinge* said, he hoped the hon. Member would allow the Report of the Committee of Supply to be brought up.

Mr. *Fysche Palmer* had no objection, on the understanding that he should be allowed to move afterwards.

On the question that the Report of the Committee of Supply be brought up,

Mr. *Robert Gordon* said, that in bringing forward the Resolution with which he intended to conclude, he meant to convey no imputation whatever upon the great and illustrious men who had served their country, either in the Army or the Navy; all he wished was, to establish a principle, he hoped a correct principle, upon which the half-pay of military officers might in future be regulated. It had been customary to introduce into the Appropriation Act a clause regulating the half-pay and allowances of the military. Early in the reign of the late King, it was made a rule that no officer on half-pay should hold a civil office without giving up his half-pay or retired allowance. This practice was continued from the year 1761 to the year 1820, when it was, for the first time, departed from, and by a new regulation, officers on half-pay were allowed to retain their civil employments, if any they had, and their half-pay at the same time. The Finance Committee recommended a recurrence to the ancient usage, and from that time to this, the regulation he spoke of remained on the old footing. Thus the House would see that the deviation from the ancient practice was to be found in the change of 1820, and the recommendation of the Committee went to a restoration of the old practice. He thought, that when the House came to look at the facts, it would agree with him, that the same regulations ought to apply to full as to half pay, and that neither should be retained by the holder of a civil office. He did not object to a military man holding a civil office; but when he did hold a civil employment he ought not to enjoy a greater benefit than a civilian holding a similar situation. Why should he possess greater benefits than the civil servants of the state? For example, if any person holding a Parliamentary pension obtain a civil employment, the practice up to this time has been, that he make his election between the one and the other. If he accepted the one, the other immediately abated. A military officer, however, on full pay, accepting a civil situation, did not relinquish thereupon the full pay, but the holder of half-pay lost it instantly. In that there was anything but fairness. There was a remarkable case then before them, the Secretary at War enjoyed no half-pay for his military service, but his right hon. friend beside him enjoyed his full pay, though he held along with that full pay the situation of Secretary to the Colonies. The Secretary-at-War, then, and the Secretary to the Colonies, though both of them officers of distinguished merit, stood in situations altogether different. He was aware he might be told that the regiments which colonels held were their own property, and that they ought not to be deprived of those on account of any civil office which they might subsequently take. To that he had to say, that he did not propose to take away from those colonels the regiments they might hold, but merely suspend the military emoluments which they held while the civil emoluments were accruing. Here he might, in passing, observe, that the mode of paying colonels of regiments at present in use was one of which he entirely disapproved. In the report of Mr. Abbot on the Army Estimates this practice was judiciously mentioned, and he conceived very properly condemned. It might also be objected to the view which he was taking of this question, that those who were on half and those who were on full pay, did not stand upon the same footing, and ought not to be treated alike; but he thought the rule as to civil offices ought to be precisely the same. He believed that there were some instances, even where half-pay did not stand in the way of holding civil offices; thus a Navy Lord might hold his half-pay as an Admiral, and his full pay as a General of Marines, and his situation at the Board besides. He found it utterly impossible to discover any reason why full pay should not stand exactly on the same footing as the half-pay. It might be, that he thought the present regulations somewhat too strict; but whatever might be thought of them, there could be no doubt that fair play demanded that no difference should be made between one class of retired military officers and another. He hoped he had been in nowise discourteous in his remarks, and he begged particularly to guard himself against being thought to convey the slightest offence towards any of the gallant officers in that House, or in the service. Most of all, he was desirous of guarding himself against being supposed to mean aught disrespectful to an illustrious General, who held his military and civil incomes without the one being at all allowed to interfere with the other. He should be the last in the world to endeavour to deprive those illustrious and gallant individuals of the reward of their services; they had the highest claims upon the justice and upon the liberality of their country. With respect to a great number of those now upon the half-pay list, he must be allowed to say, that nothing could be more melancholy than the condition in which they were placed. They were, for the most part, men of birth and education, who had served their country for years; some of them had lost their limbs and their health in that service, or had spent their property in endeavouring to attain that rank in the army which they had attained, and which left them now without the means of maintaining their station in society. Struggling against difficulties such as these, they still could have no just ground of complaint if the small amount of their stipend arose from the real necessities of the country; but when they saw other military men, not more deserving than themselves, in possession of civil offices and full pay, with such things before their eyes, it would be no matter of surprise that they should be discontented. Fair and equal justice ought to be granted them, and in the distribution of emoluments no difference should be made between the weak and the powerful. He hoped, too, that in meeting his Resolution, no nice distinctions would be set up between officers holding elevated rank, or subordinate rank. He then moved as an Amendment to the Motion for receiving the Report of the Committee of Supply, the following Resolution:—“ That it is the opinion of this House, that, as certain regulations are in force by which Half-pay officers of the Navy, Army, Ordnance, or Marines, are prevented from receiving the whole or part of their Half-pay during the period they may enjoy the emoluments of any Civil office, it is expedient and just that the same regulations shall extend to all Officers of the Army, Navy, Ordnance, or Marines, in the receipt of Full pay or of profit from Naval or Military allowances, or from emoluments from Naval or Military appointments."

Sir *Henry Hardinge* admitted the perfect fairness of the statement made by the hon. Member who had just sat down. Nothing could be fairer or more courteous than his observations, and he congratulated the gentlemen on half-pay on their possessing so able an advocate. With respect, in the first place, to the alterations made in the year 1820, and the change by the Finance Committee, he at the time, as now, pronounced that change to be exceedingly ill-judged. It was neither economical nor politic. There were many places of small emolument, which ought, nevertheless, to be filled by respectable persons; by persons who offered a long life of integrity, and possessed a commission as a guarantee to their employers; but such men, he believed, could no where be found, unless among officers on half-pay, and they would not accept such offices unless they were allowed to retain their half-pay. As an illustration of the effect which the refusal to allow half-pay to be retained by officers accepting other appointments, he would instance the case of a captain appointed to the situation of barrack-master. The pay of a barrack-master was 7*s.* 6*d.*, the half pay of a captain 7*s.* If a captain accepted a barrack-mastership, he lost his half-pay—the two together were but 14*s.* 6*d.* If he resigned the one for the other, he undertook heavy and laborious duties, considerable responsibility, the expense and inconvenience of a residence abroad—all for 6*d.* a day. Upon those grounds, and he thought them sufficient, he disapproved of the change, and he thought it productive of the most evident injustice. He thought that full pay, or retired allowances granted for military services ought to be retained, and certainly thought the same rule ought to apply to half-pay; but the House would be surprised to learn how few officers on full pay had also civil appointments. In the service there were under the rank of major-general, 5,260 officers on full pay, and of that number there were only three in the civil service whom he could discover. There was one in a colonial situation—there was a Captain Turner, as secretary to the Governor of Bermuda; but he had no staff-pay as Aide-de-camp. The third was in the 7th regiment, stationed at Botany Bay, where he held the situation of Clerk to the Council, for which he received 100*l.* a-year. He was perfectly ready to discuss the question, as the hon. Member had proposed to discuss it, as a matter of ancient usage; but he thought that, upon examination, it would be found that the ancient usage was rather against the hon. Member than against the views which he took of the question. Now let them take the case of colonels of regiments—they always retained the emoluments of their regiments, notwithstanding any civil situation to which they might be appointed—that had always been the practice; and he would contend that it was a practice which ought to be continued. To go back to the case of the Duke of Marlborough, which was going back far enough—and the case of the Duke of Marlborough was one which he trusted even the hon. Member for Montrose would acknowledge as an authority of some weight—that distinguished individual held the first regiment of Guards, the office of Master-General of the Ordnance, and of Constable of the Tower. The Duke of Wellington held the same offices, and under the same circumstances; and to that, he expected, no one would be found to enter a valid objection. As to what the hon. Member had said respecting his right hon. friend near him, and himself, he saw nothing invidious in the comparison. His own services were far inferior to those of his right hon. friend. In due time, if he lived, he might expect to attain the same rank in the army as his right hon. friend; but until they should stand upon the same footing professionally, he declared himself quite content with the advantages he then possessed. His right hon. friend had a regiment; the income of a regiment generally averaged about 1,000*l.* a-year. Previous to the appointment of his right hon. friend to the situation he at present held, he was Governor of Edinburgh Castle. That he resigned; and he then held the office of Governor of Fort George, which produced 470*l.*; so that the whole of his reward for a life of military service, was about 1,500*l.* a-year. To punish him by taking that away, merely because he undertook to serve the state in some other way, was anything but fair and equal justice. When General Fitzpatrick held the office of Secretary-at-War, he had long been inefficient as a military officer. He was given a regiment, and enjoyed the full pay, with all the emoluments of the office. There was another case — that of the Lieutenant Governor of the Tower, and the Surveyor General of the Ordnance, who had each 1,200*l.* a-year. Were either of those officers to give up their regiments they would just receive 200*l.* a-year for their services. What motive, then, could they have for accepting office? Let the House only look at the grounds upon which the hon. Member pressed his Motion. He said, that they dealt harshly with the half-pay officers, and he called upon them to deal as harshly with those upon full pay; for wherein lay the difference?—the officer who received full pay had earned it as well and was as justly entitled to it as the officer on half-pay. The hon. Member was inclined to propose, that when a general officer received a civil appointment, he should immediately resign his regiment; but the income of that regiment was given chiefly on account of the great responsibility which the colonel of a regiment necessarily undertook. A colonel was often bound to pay large sums to Government on account of the various persons connected with the regiment, who might happen to become defaulters. Recently he had to call upon the colonel of one regiment for a sum of 1,500*l.*; upon the colonel of another, for 1,800*l.*; and upon the colonel of another, for 2,000*l.*, though the last-mentioned sum was afterwards reduced to 1,400*l.* Colonels of regiments were answerable for agents for clothing, and for a variety of other matters, for which they could not be made responsible if their incomes were withdrawn or suspended. Within the present year, ten general officers had been appointed to regiments, and he had instituted an inquiry into their length of service and their ages, and he had struck an average—he found that the average period of service was thirty-nine years, and their average age fifty-five years. The 130 regiments in the service afforded the only prizes in the profession to 13,000 officers on full and half pay belonging to it. Would the House be disposed to withdraw those prizes? He hoped, that with those facts before them, Members would see the necessity rather of rejecting than of adopting the Resolution of the hon. Gentleman, in case he should deem it right to press that Motion to a division, which, he hoped, would not prove the case.

Mr. *C. Wood* supported the Motion, and said, that he heard nothing to invalidate his hon. friend's statements. The gallant officer had shown, that half-pay officers were harshly treated; but he had not given any reason why officers on whole pay should be suffered to have the emoluments both of civil and military employments. In his opinion, the pay of an officer ought to abate when he took a civil office.

Sir *Francis Burdett* said a few words against the Motion. He was sorry that he could not agree with his hon. friend; for he was not aware of any reason why officers who had passed a long life in the service of their country, should be excluded from accepting office in the civil departments of the country; and he thought, that when they did, it would be very hard to deprive them of their military pay and emoluments. He saw no reason for depriving any class of officers of that half-pay which they had so hardly earned. As he understood the Motion, it would go to deprive some officers of their half-pay, which was quite contrary to the general principles which, he thought, ought to be acted on. He was quite aware of the necessity of encouraging the Ministers to practise that economy which was now required by the country, but he could not consent to urge that economy at the expense of individuals.

Mr. *C. Fergusson* observed, that there were many situations with small salaries which could not be properly filled except by half-pay officers, and he thought it was hard to deprive them of the power of holding such offices. If the subject were likely to be taken into consideration by his Majesty's Government, he would recommend his hon. friend to withdraw his Motion.

Lord *Althorp* felt all the inconvenience of Ministers beng placed in a situation of refusing to make allowances and grant superannuations to gentlemen; he felt, however, that the House was placed in a critical situation; and while he regretted the difficulty in which Government was placed, he must insist that it was the duty of the House to press economy on the Government. It was painful, perhaps, for Members to enforce economy when it affected individuals, but there was a necessity for them, being trustees for the public, not to allow their feelings to get the better of their duty to the public.

The statement made by his hon. friend had not been answered, in the slightest degree, by the right hon. Gentleman. It seemed to him a partial system to deprive the lower ranks of officers of their half-pay if they accepted civil situations, and to allow the higher ranks to retain their full pay with official situations. Such a system ought not to be continued. The hon. Baronet and the hon. Member for Kircudbright seemed to think that the half-pay was to be continued at the same amount as it ever had been; and if that were the way in which they pressed economy on the Government, they might be sure that the Government would steadily attend to their recommendation. Being convinced of the necessity of doing everything possible to enforce economy, and limit the national expenditure, he should give his vote for the Motion of the hon. Member.

Mr. *Huskisson* was disposed generally to concur in the views of the noble Lord; but considering all the circumstances of the case, he should feel more satisfaction if the Motion were not pressed to a division. He thought that the time was come when the whole system of superannuations, allowances, pensions, and half-pay must, from the circumstances of the country, become a subject of investigation. The House ought to go into such an inquiry, not with reference solely to half-pay or full pay, but with reference to every kind of salary, pension, and allowance. It would be wise and good policy to do so, and the Government ought to be encouraged to take the arduous task into its own hands. He admitted that the recompense of the half-pay was well earned, but the House must look at the difficulties under which the country was placed. If, according to the statement of his right hon. friend, the Chancellor of the Exchequer, of seventeen millions expended annually only eleven millions were applied to the efficient and active service of the country, while six millions were paid for superannuation allowances, pensions, and half-pay, and if this sum had been increasing since 1822, it was time to consider if the whole establishment could not be gradually diminished, instead of taking any partial view. He had listened with attention to his right hon. friend, the Secretary of War, but had not clearly understood that there was any other difference between continuing the full pay to officers holding other situations, and not continuing the half-pay, than that the one was usual, and the other not. As to the colonels of regiments, he did not look on their appointments as a remuneration for past services; these appointments involved, he believed, certain duties, and the colonels had no other remuneration. He wished to see the principle of the Act of Parliament extended to all classes of pensions and allowances. It would be well for the Government to take up this subject; but if it did not, and if no other hon. Member, more competent to the task than himself, did, he did not know that he should not call the attention of the House to the subject, before the close of the Session. Something like principle ought to be acted on throughout; and he thought that the principle of the bill introduced by the hon. Member for Dorsetshire, that on the acceptance of an office, double the value of any half-pay or allowance, the latter should be suspended; and on the acceptance of an office of less value, half the half-pay or allowance should be suspended—was the principle that ought to be adopted. If that were not done, and if the House did not take some opportunity of considering the whole subject, the six millions might be increased to a yet greater sum. He must say, that for this large expenditure the Government was not to blame; it had been forced on the Government. In times of ease and prosperity they all knew with what facility grants of money were made; and if they did not, when in difficulty, press for reduction and relief, it was not likely that any would be obtained. Looking at the whole question, he would beg his hon. friend to withdraw his Motion.

Mr. *R. Gordon*, in reply, did not think the right hon. Gentleman had answered his objections; and he hoped that the right hon. Gentleman who spoke last would move either for a Select Committee or a Committee of the whole House, to inquire into the subject. With an understanding that the subject would be taken up by his Majesty's Ministers, or by the right hon. Gentleman, he would consent to withdraw his amendment.

Mr. Secretary *Peel* protested against its being understood that his Majesty's Government was pledged to a motion of which no notice had been given, and of which he did not yet know the terms. As an earnest of the intentions of his Majesty's Government with respect to salaries, he would remind the House, that the Session before last, his right hon. friend, (the Chancellor of the Exchequer) introduced a bill to regulate the retiring allowances of the civil servants of the Government, according to the recommendation of the Finance Committee. He did not propose to deprive any of the servants of the Government of their retired allowances, but he proposed to deduct a per centage from all salaries to form a Superannuation Fund. But how did the House meet the views of his right hon. friend? He was unable to pass the bill. He received no support. His right hon. friend had now the subject under his consideration, and would have no objection to revive the proposition of the Session before last.

Mr. *Huskisson* wished the hon. Member to understand that he had not pledged himself to move for any Committee, but only that he might possibly call the attention of the House to the subject, if no Member more competent to the task than himself should take it up. He thought the whole subject required revision, but he was of opinion that some better opportunity should be found than on that occasion, to go into the matter.

Mr. Secretary *Peel* informed the House that the principle of the bill formerly introduced into the House had been applied to every person subsequently accepting office, and to all new offices. A deduction had been made from their salaries to form a fund for retiring allowances.

Lord *Howick* hoped his hon. friend would not withdraw his Motion, unless he received a distinct pledge from the Government that it would go into a general inquiry. He regretted that the hon. Member for Westminster, and the hon. Member for Kircudbright should encourage the Government in its extravagance. The Government was ready enough to attend to recommendations similar to those. When the Chancellor of the Exchequer had brought in the bill alluded to, he had not marshalled all his forces to pass it; and he had withdrawn it after a very feeble opposition from the hon. Gentleman, who was then on the Opposition side of the House, and was now Paymaster of the Army. Since then, the right hon. Gentleman had done nothing on the subject. He had allowed a whole Session to pass away, and had made no effort to get over his defeat. He hoped that his hon. friend would not withdraw his Motion, unless a distinct pledge were given that an inquiry should be instituted into the Dead Weight. He would call on the right hon. Gentleman to say whether or not he would grant such an inquiry? If the right hon. Gentleman would consent, he would recommend the hon. Member to withdraw his Motion; if not, he recommended him to persevere.

Mr. *Maberly* defended the Government. He was sure that it was ready to go fully into any such inquiry as that recommended. It was very seldom that he rose for such a purpose; but he was bound, in justice to the Government to declare, that he believed it was ready to go immediately into the investigation. He thought that the same principle that was applied to persons receiving half-pay ought to be applied universally, and that no person ought to be allowed to hold two offices, and receive two salaries.

Mr. Secretary *Peel* could not suppose that the House would be so unjust as to require that the Ministers should pledge themselves to a Motion of which no notice had been given, and of which the terms were not known. Did the noble Lord wish to deprive officers of their half-pay? On Monday next his right hon. friend was to bring forward his view of the financial state of the country. The ordinary expenditure of the country was 11,000,000*l.* and the Dead Weight and Pensions amounted to 6,000,000*l.*, and was it to be supposed that his right hon. friend would allow the 6,000,000*l.* to escape his attention? In the absence of his right hon. friend, he could not be expected to pledge himself to any measure similar to that required by the noble Lord.

Lord *Howick* only rose to guard himself against its being supposed that he wished to touch the half-pay of officers, or to deprive any person of the emoluments he then possessed; but he wanted a pledge that there should be no increase.

Sir *H. Hardinge* understood the hon. Member to accuse the Government of gross partiality, in continuing the allowances of general officers while subalterns were obliged to give up their half-pay on accepting office. But the House would remember that in 1815 it was recommended that the number of general officers should be diminished; and from 378, their number then, they had been gradually reduced to 120, by which a saving had been effected of 33,000*l.* This betrayed no partiality to the general officers.

On the Question being put on the original Motion,

Mr. *Hume* suggested, that it would be wise in the House to withhold the grant till after the Chancellor of the Exchequer had made his financial statement.

Mr. *R. Gordon* had no desire to press the Motion if the right hon. Member for Liverpool would undertake the inquiry.

Mr. *Huskisson* would only pledge himself to turn his attention to the subject in the course of the Session.

Lord *Howick* hoped the right hon. Gentleman would do so, as no person could accomplish the matter so well.

The Amendment, by the leave of the House, withdrawn.

The Report of the Committee of Supply was brought up. Several items were agreed to without opposition. On the Question that the House agree to the Resolution of the Committee for granting 32,000*l.* for Exchequer Fees,

Mr. *Hume* took the opportunity of observing, that the quarantine establishments were at present expensive ; and to express his hope that, if any vacancies occurred in them, or in any other offices of the State, that they would not be filled up.

Mr. *Herries* believed, that his right hon. friend (the Chancellor of the Exchequer) did not need the suggestion of the hon. Member to attend to the subject he had alluded to. It had engaged the serious and careful consideration of his Majesty's Ministers. As to the Treasury, he could say that it had, to the utmost of its power, carried into execution the recommendation of the Finance Committee, with regard to salaries and superannuations. The noble Lord (Lord Howick) had done his right hon. friend injustice by accusing him of lukewarmness in regard to the bill he had brought into the House the Session before last. He knew that his right hon. friend had made the greatest exertions to get that bill through the House, but he had not been supported, with the exception of the hon. Member for Montrose, even by the Members of the Finance Committee.

Resolution agreed to.

On the Question that the House agree to the Resolution of the Committee to grant 60,612*l.* to his Majesty, to defray the expense of Volunteers,

Mr. *Hume* expressed his surprise that this vote should be continued. If we were to have Volunteers they ought to be real Volunteers, who should pay for themselves. For his part, he thought the Government should have an opportunity to take the question into consideration, and time afforded them for carrying reductions into effect; and he would therefore move, as an Amendment, "that 30,306*l.* be granted for a period of six months; that is, until the 30th of June of the present year."

On the Question being put,

Mr. *Portman* said, he would give the Motion his warmest support. He expressed a hope that on the eve of a Motion by the right hon. Gentleman (Mr. W. Horton) for taking into consideration the causes of the present extent of suffering among the poorer classes, the House would not allow this last proposition, for a just and wise reduction of the Estimates, to be frittered away like the former ones. He agreed most fully with the hon. Member, that the Volunteers should perform voluntary service; and that in times like the present, unless they could be supported without such an enormous expense, the country would be better without their services. He would therefore implore hon. Members to consider the necessity for economy ; and he was confident there was not a man in the House, meaning honestly and sincerely to relieve the burthens of the people, who could refuse his vote to the Amendment now proposed.

Sir *H. Hardinge* did not mean again to trouble the House with any observations on this subject after the very protracted discussion, of more than two hours, which it had undergone on a former occasion. The Estimates, he repeated, were framed on as low a scale as they could be ; and he put it to the courtesy of the hon. Member whether he would thus continue an opposition which so many majorities had already decided to be ill-founded.

The House then divided—For the original Resolution 104: For the Amendment 59 :—Majority 45.

Original Resolutions agreed to.

List of the Minority.

Althorp, Lord
Baring, Sir T.
Baring, A.
Baring, F.
Baring, B.
Bentinck, Lord G.
Blake, Sir F.
Bright, H.
Burrell, W.
Burdett, Sir F.
Burrell, C.
Cave, O.
Carter, J.
Carew, R.
Dundas, hon. T.
Denison, J. E.

Ebrington, Lord
Fazakerley, J. N.
Fane, J.
Fyler, T. B.
Hoye, J. B.
Jephson, C. D. O.
Lennard, C. B.
Lamb, hon. J.
Lott, H.B.
Lester, B.
Labouchere, H.
Monck, J. B.
Marjoribanks, S.
Macdonald, Sir J.
Martin, J.
Macqueen, T. P.
Nugent, Lord
O'Connell, D.
Parnell, Sir H.
Pendarvis, E. W.
Ponsonby, hon. F.
Price, R.
Palmer, C. F.
Philips, Sir G.
Philips, G. R.
Rice, T. S.
Russell, Lord J.
Robinson, G. R.
Rumbold, C. E.
Rickford, W.
Sandon, Lord
Smith, W.
Smith, V.
Sebright, Sir J.
Thomson, C. P.
Ward, J.
Warburton, H.
White, Col.
Wood, C.
Wood, Alderma
Whitmore, W. W.
Wrottesley, Sir J.
Wilbraham, G.

TELLERS.

Hume, J.
Portman, E. B.

DUTIES OF HIGH SHERIFF.] Mr. *Fysche Palmer*, pursuant to notice, rose, to move for a Committee to inquire into the nature of the Duties of High Sheriff, and entered into a detail of the various complicated subjects on which a High Sheriff was expected to be conversant, and of the number of Courts in which he was supposed to preside, if he fulfilled in person the duties of his office. Among these he enumerated the presiding in the County Courts, the protection of the public as conservator of the peace, his duties as Collector of the Crown Rents, and as the officer called on to execute all writs issued within the county. All these, and many other judicial and ministerial functions, were performed by a man who was compelled to discharge a large portion of the expenses out of his own pocket, and who was liable to be prosecuted for the failure or misconduct of his officers. Every expense of the Judges of Assize was paid by the Sheriff—the table of their attendants, the coals, the beer, the wine consumed at their place of residence—all was defrayed by the property of the High Sheriff, while he was, at the same time, compelled to bring a vast number of retainers to the court town, at his own entire cost, to be employed as javelin-men, and for other purposes. To so great an extent had this gone, that a law was passed in the 13th and 14th of Charles the Second by which it was enacted, that no Sheriff should be compelled to keep a table at the Assize town for any save the members of his own family, or the judges' servants; that he was not at any time to bring forth more than forty retainers; but for the sake of decency and a proper regard to the dignity of his station, he was not to appear with less than twenty in England or twelve in Wales, to be employed as javelin-men. He had procured a return of the amount of expenses incurred in one county, and he found that they amounted to about 1,300*l.* while the whole of the receipts were only 600*l.* so that the remaining 700*l.* remained to be made good out of the pocket of the Sheriff. Looking at the extent of duty required from the High Sheriff, and the expenses to which he was subjected in the performance of these duties, he thought they were by much too numerous and too great to be demanded from any gentleman of ordinary fortune; and he, therefore, proposed to bring the subject under the consideration of a Select Committee, for the purpose of ascertaining to what extent the duties might be lightened and the expenses removed. He should, therefore, without troubling the House by going into any further details, move at once for a Select Committee to take into their consideration the Duties and Expenses attending the execution of the office of High Sheriff in England and Wales, with a view to devise some means to reduce or amend the same.

Mr. *Hudson Gurney* begged the House to recollect that the office of High Sheriff was an ancient one, of very great importance, and always filled by gentlemen of rank, character, and fortune. In his opinion, if the House were to make those alterations and reformations which the hon. Member seemed to aim at in his speech, the result would be, that the office must fall into the hands of men in a lower and humbler rank of society than those who had hitherto filled it with so much advantage to the country. The Motion of the hon. Member seemed to go to the reformation of points so extremely frivolous, that it would be worse than idle to give it the support of the House.

Motion agreed to. Committee appointed.

STATE OF THE POOR.] Mr. *W. Horton* then rose to make his promised Motion for a Committee of the whole House to inquire into the State of the Poor in the United Kingdom. The hon. Member commenced by observing, that he preferred moving for a Committee of the whole House rather than a Select Committee, because he thought it would be more satisfactory to the sufferers to hear the course of the proceedings as they occurred, and the nature of the evidence offered in their favour, than if the subject were to be examined in the usual manner by a Committee especially appointed for the purpose. He thought it necessary to premise, in the outset, that he wished to confine his inquiries solely to the distress prevailing among those poorer classes whose labours were the most productive, and who received at present so small an extent of remuneration in proportion to the labour which they were called on to employ. After all the attention he had been able to give the subject, he was convinced that the distress of this class was to be found in the superabundance of the number who required employment in proportion to the demand for labour; and that the class most materially interested in the removal of this evil was that on which the maintenance of the labourers principally fell, he meant the landed interest of the country. When he heard so many discussions, night after night, on the subject of the reduction of general taxation, he confessed he was at a loss to understand why the House should allow the Poor-laws to escape consideration, and why it did not direct its attention, in settling the balance sheet, to the reduction of the seven or eight millions of taxation which pressed on the landed interest, through the poor-rates, just as ardently as the Members applied themselves to procure a relief from those other taxes which pressed on the industry of the country. In entering on an inquiry of this kind, it would be well worth while to look at the opinions entertained with respect to the distress of the labouring classes at different periods of our history. In the year 1796, Mr. Whitbread introduced a bill into the House for the purpose of regulating the Wages of Labourers in Husbandry.[*] This, be it recollected, was before the Bank of England was authorised to refuse payments in gold, and before any of those changes which were afterwards introduced into the monetary system had been carried into effect, and yet even then the people were, as now, suffering under that redundancy of labourers, which he maintained to be the great cause of the distress. Mr. Whitbread, in the discussion on the bill, used some language which was peculiarly remarkable with reference to this fact. He said, "In most parts of the country the labourer had long been struggling with increasing misery, till the pressure had become almost too grievous to be endured, while the patience of the sufferers under their accumulated distresses had been conspicuous and exemplary."[†] These were praises which, if applied to the manner in which the great body of the people bore their distresses and sufferings, could scarcely be too highly coloured. Ever since, the people had continued in the same state, and had borne their sufferings with equal patience. Mr. Whitbread observed on the same occasion, "That by the pressure of the times, marriage was discouraged; and among the labouring classes of the community, the birth of a child, instead of being hailed as a blessing, was considered as a curse."[‡] To remedy these evils Mr. Whitbread recommended a minimum of wages to be fixed; and he argued that the Act of Elizabeth had established a maximum of the price of labour, which was good against the labourer, but that it had established no minimum which would be good against the employer. Mr. Pitt, in the same debate, admitted, instead of denying the extent of the distress; but he argued against the fixing a minimum of wages, as contrary to all general principles, and concluded in these words:[§]—"What measure, then, could be found to supply the defect? Let us (said he) make relief, in cases where there are a number of children, a matter of right and an honour, instead of a ground for opprobrium and contempt." And Mr. Fox and Mr. Whitbread concluded by recommending the Government to provide a liberal premium for the encouragement of large families. If the principle that a surplus of labourers produced a redundancy of labour; and that the principle of demand and supply was applicable to that as well as to other commodities, had been then known and recognized, he believed these distinguished statesmen would have been induced to recant their errors. But the assertion of Mr. Pitt, with respect to labourers, was about as rational as if he had proposed to cure a glut of sugar by increasing the quantity in the market. After observing that Mr. Whitbread proposed two bills subsequent to the year 1807, when the book of Mr. Malthus appeared, and that they were not free from the errors of the former, for one of the clauses proposed a premium to the father of a family of six children, the hon. Member proceeded to say, that Mr. Ricardo was the only person who seemed, on the discussion of those bills, which were afterwards lost in the Lords, to have any idea that a redundancy of population diminished the amount of wages, and that the bills were calculated to increase the evils they proposed to cure. When, therefore, they saw that, in the year 1796, the same complaints were made as at present, and that the poorer classes were suffering the same privations, he thought it must be admitted, that the evils did not flow altogether from an increase of taxation. In the work of a gentleman named Barton, with which he thought nearly all the Members of the House must be acquainted, and which contained more information than almost any other on these subjects, he found it observed, "that if it could be proved that in Switzerland and other countries the same distress was suffered as in this country; if the people of countries of the Continent, where there was no paper currency, and where there had always been a free importation of grain; if countries inhabited by a people poor and agricultural, were labouring under the same evils as a country rich, manufacturing and luxurious; did it not show that there existed some cause for that distress, common to all, and independent of those local circumstances to which it was generally attributed?" Now he would ask the House to say, whether that cause was not the redundancy of population, which rendered the wages of labour insufficient for the maintenance of the labourer? The laws of those countries involved principles much more severe than we dared to resort to in this country; principles, however, the result of which was to maintain the labouring classes in a state of comparative ease and independence; a state to which pauperism was almost, if not altogether, unknown. With respect to the bills which at various periods had been introduced into that House, for the purpose of establishing a better system of regulations for the poor, they had all failed; they had all been abandoned by their original promoters; and no material alteration had taken place on the subject. The bill which was introduced in 1822 by Mr. Nolan, in a very able and argumentative speech,* was more analogous to the principles maintained by him (Mr. Horton) than any of the measures which had been proposed with similar views; but still it did not suggest any practical remedy for the existing evil which appeared to him to be of sufficient efficacy. After all the attention that he had bestowed upon this subject, and he could assure the House that he had bestowed upon it the most anxious attention; he would suggest to any one who should in future wish to undertake an amelioration of our present condition with respect to the poor, the advantage that would be derived from considering them under four separate heads. First—the poor who had real employment, and who maintained themselves by the actual wages of their labour; such persons were free from pauperism; privations they certainly suffered as compared with other parts of the community: but for that there was no remedy. The next class was the helpless poor; who, however they might wish to labour, were destitute of the power to do so, either from too great age, or too great youth, or sickness, or accident; and who must be supported by charity, whether that charity was compulsory, and prescribed by law, or whether it flowed spontaneously from the benevolence of individuals. The third class consisted of those whom he was desirous especially to distinguish by the appellation of "the pauper class;" being able-bodied men, willing to work, but who could not get employment, and who, if not assisted by others, must perish. That was the class which now demanded the most serious attention of the legislature, in order to endeavour to discover the best means of disposing of it. The last class was beggars; persons who preferred living on charity to supporting themselves by honest industry, and who, while they could find any individuals in the country prepared to relieve their necessities, would look to no other means of subsistence. Every one conversant with the laws of production knew that no capitalist would go on producing any article unless he could obtain a remunerating price for it. But the labourer had no choice. He must continue to offer his labour, not while he could obtain a remunerating price for it, but while he could prevail upon any one to employ him at whatever price. In the large classes supported by charity must be comprehended those who received money for anything but for their labour.

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[*] Hansard's Parl. Hist. vol. xxxii. p. 700.
[†] *Ib.* 703. [‡] *Ib.* 704. [§] *Ib.* 709.

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* Hansard's Parl. Deb. vol. vii. *n. s.* p. 1560.

If, therefore, a man received money from the parish to make good the deficiency of his wages, the mere fact of his receiving wages did not take him out of the pauper class. Such a practice, however, was productive of the greatest evils. It operated specifically against the interest of the strongest and the best labourer; for it brought society into competition against him; diminished the average price of labour; and, finally, reduced him to a state of poverty to which all hope was denied. On these grounds it was, that he highly approved of the bill which an hon. friend of his had introduced, for preventing any part of the wages of labourers from being paid out of the poor-rates; or, in other words, to prevent the private employers of labour from being assisted out of any corporate funds. One modification, however, he wished to see of his hon. friend's bill, namely, that in the case of any labourer having a large family, which he was incapable of supporting on his wages, if those wages were such as would be sufficient for the support of an unmarried and unencumbered labourer, that then the parish should pay to the married labourer the balance necessary for the maintenance of his family. Without entering into the consideration of the mode of levying the poor-rates, the first suggestion which he would take the liberty of throwing out upon the subject was, that in the accounts of every parish the sums paid to the helpless poor should be kept separate from the sums paid to the third class which he had described, or the pauper poor. By such a regulation, they would obtain an account of the redundant labouring population. His next suggestion would be, to empower parishes to employ the able-bodied poor in concentrated labour, instead of employing them in their separate parishes. It appeared to him that in many instances, labour, which afforded no return when employed in separate parishes, would be productive, if the labour of several parishes were concentrated. Another suggestion would be, to frame some regulations for restricting the erection of cottages in parishes where it was shown that a great redundancy of labour existed. A check of this description would be most advantageous. He was also decidedly of opinion, that to give the able-bodied poor, the natural labourers of the country, a small quantity of ground for their own cultivation, would be attended with highly beneficial consequences. In support of his principle of the existence of a large redundance of the labouring population, he would refer to a petition from one of the hundreds of the county of Bedford, presented to the House towards the close of the last Session of Parliament. In that petition it was stated that 4,000*l.* was paid yearly by that hundred for labour, for which there was no return; and that the system was productive of serious crime and of every variety of shade of moral turpitude; and presented a picture of pauperism of the most deplorable character. The petition proceeded to state what proportion of the able-bodied labourers of the hundred would be sufficient to perform all the ordinary and habitual labour of the hundred. The number of able-bodied labourers in the parish was 2,177. After making every due allowance for harvests and other casual demands, it appeared that 1,496 would be sufficient to perform the work of the hundred; and, consequently, that in the hundred in question, containing thirteen parishes, 681 able-bodied labourers might be advantageously spared. He was persuaded that if by the means which he had recommended an account of the redundant labour-population of the country were to be forthcoming, it would create much astonishment. He by no means meant to say that much of this redundant labour might not, at a future period, be again absorbed; but he contended, that while it continued to press upon the food of productive labour, it occasioned the most serious evils. He had, as might easily be supposed, received numerous letters and other communications, anonymous and otherwise, on the subject to which he had paid so much attion; and among them one from an enlightened individual, a man of the highest possible character, who, speaking of his own neighbourhood, stated that a strong desire for emigration prevailed, that the labouring population were sinking with an accelerating velocity into the jaws of pauperism, and that the funds of the parish were insufficient to remedy the evil; or, to use his own forcible expression, "to relieve the wretchedness of the labouring population, breeding and starving in a paroxysm of hopelessness and fatuity." The state of Ireland afforded a sufficient proof of the evils which resulted to the labouring classes from the absence of all check on the increase of population. The existence of a state in the most wretched pauperism was not in itself a check on that increase. This was clearly established in Mr. Barton's letter, to which he had already referred. Mr. Hodges, a gentleman from Kent, who gave evidence before the Emigration Committee, said that in proportion as the labouring population became more miserably poor, they became more reckless, and married at an early age, without the slightest regard to any consequences. This was a fact established by experience, and by communications from other quarters. He was one of those who thought that if the poor-laws were properly regulated, they would be very beneficial. He conceived that the existence of judicious poor-laws indicated a high state of civilization in any country. But of this he was certain, that a country in which there was a free circulation of labour, as well as of other commodities, must be everywhere under the same law respecting the poor. If twenty counties were without a poor-law, and twenty counties were with one, that would be productive of great evil. For his part, he could see no reason why, now that our union with Ireland was cemented, the interposition of the ocean should prevent Ireland from having the same poor-law as England. But he should be very sorry to see the poor-laws inflicted on Ireland, unless she possessed the means of getting rid of her redundant labouring population. The object of the legislature ought to be to distinguish between that class of the population which lived upon the produce of the labour provided by private employers, and that class which lived upon other sources. If the House wanted to introduce a prudent and effective check to increasing population, it must make a substantive distinction between the two classes which he had described. The labouring classes must be taught to feel the disgrace of pauperism, and they would then anxiously avoid it. At present no such anxiety existed. Until it revived, every effort would be hopeless. It was impossible to consider the situation of the poor in this country, without adverting to the effect produced by the influx of the Irish poor. He by no means intended to say that the Irish poor ought not to be allowed to come over to this country. But the potatoe of Ireland was one of the substantial causes of the increase of population in that country. This potatoe-fed population came over to this country to enter into competition with our labouring poor, because there was no law in Ireland calling on the rich, under any circumstances, to provide for the poor. So little were the poor of Ireland relieved by the rich of Ireland, that whenever there was a failure in the potatoe-crop of Ireland, exposing the poor of that country to starvation, English benevolence always extended its assistance to them. Thus, however, a bonus was given to the increase of distress in both countries. All he asked was the extension to Ireland of the laws on the subject which were established in Great Britain; and then the potatoe-fed population of Ireland would prove beneficial to the empire. He wished he could see an attempt made to separate the pauper population from the labouring population of Ireland. The Report of the Committee of 1825, to inquire into the state of the Irish poor, stated that, of the former class, no fewer than a million were strolling over the country. It would be a most beneficial policy to introduce into Ireland a National Mendicity Association. The reports of such an Association would distinctly exhibit the amount of the redundant population of Ireland. Until that was ascertained, all legislative proceedings respecting the poor would be premature. If it should be afterwards found, on experiment, that the redundant population might be advantageously employed at home, after the example of the Dutch, let that be tried. If, on the other hand, it should appear that the advantage of the community would be more promoted by national colonization, some plan for carrying that colonization into beneficial effect should be devised. All he contended for was, that something must be done to put an end to a system which, if not checked, would multiply misery to an indefinite extent. Until, however, the day arrived when the labouring classes of the community should be convinced of the truth of what he had stated, and that the misery of their present situation, proceeding from redundancy, could be remedied only by removal, he was convinced that the Representative Body could never take any salutary step. He therefore called on the intelligent part of that class of the community, on the labourers and mechanics who had received the benefits of education, and who were competent to the consideration, to investigate the subject, and to determine if there was not truth in his statement, that where the numbers of the population were redundant, no legislative measure, no remission of taxes, or any other proceeding, could effectually put down pauperism. In 1826, a small experiment had been tried at Manchester. In the year 1825, the population of that town, 200,000 in number, was in a state of the greatest possible distress. The richer inhabitants determined to give work to all, at low wages. He had been told by an intelligent individual, that many persons supposed that there was a redundant population, others that there was no redundant population, but nothing certain was established on that point. The people were put to work, however; they were taken back into the general demand as they were required, and at no very distant period they were all absorbed. No one could deny that there was a great difference between the condition of the agricultural and the condition of the manufacturing population. The fact was, that whereas the demand for manual labour required in agriculture diminished, the demand for manual labour required in manufactures increased. In agriculture the improved processes had occasioned a greater produce, with less manual labour; but in manufactures the improvement of machinery, were it not for the introduction of Irish labourers, would have greatly increased the demand for, and bettered the condition of, the workmen. For the last thirty years, however, the latter had been kept down by the influx from Ireland. He could not avoid saying a few words on the subject of the currency. Many hon. Gentlemen appeared to be of opinion that a change—a depreciation—in our currency would operate to remove the national distress. Never, in the history of mankind, however, had the depreciation of the value of the money of any country produced any thing but misery to the labouring classes. This was undeniably true; and ought to enter into all the considerations of the legislature, when we were contemplating measures for the relief of those classes. The people at large ought to know that if, by a change of the standard, or by the introduction of paper, money were depreciated five-and-twenty per cent., the consequence would be, that every shilling received by a labourer or an artizan would be practically reduced in value to ninepence. It was true that time would afford a slow remedy for this evil, and that wages would gradually increase in the proportion of from one shilling to one shilling and threepence; but it would be then, and then only, that the situation of the labourer or of the artizan would be upon a par with his situation before the depreciation of the currency. When, therefore, he heard a depreciation of the currency described as a means of relief for the labouring classes, he only wished that those who so described it would consider the subject a little, and they would perceive that the sole tendency of such a depreciation would be, to benefit the debtor at the expense of the unfortunate creditor. He protested, therefore, against such a proposition; which, instead of relieving, would only add to the distresses of the labouring classes, and would not add a single grain of value to the wealth of the country. As to the changes which had already taken place in the currency, he did not pretend to say that the landed interest had not been affected by them. But if those changes were now to be renewed, and all the evils attendant on the alteration of the real terms of contracts were again to be produced, and that not only without benefitting, but very much to the injury of the labouring classes of the community, such a proceeding would experience his entire condemnation. Nor could the labouring classes derive the slightest relief from any such remission of taxation as would render it impracticable to keep up the necessary establishments of the country, and at the same time preserve faith with the public creditor. He should grossly deceive the people were he to tell them that they must look for relief to such a remission of taxation. There was another sound principle which he wished to inculcate on this subject. It was impossible that any remission of taxes could materially affect the situation of the paupers. Those who had to dispense charity might certainly, by a remission of taxes, have their means of doing so increased; but those who were to be maintained out of that charity—in other words, the redundant labouring population—must be benefitted in a very small degree by the remission of taxation, since it would not increase the amount of employment. He alluded especially to this part of the subject, because it had been said that the remission of the

Malt and Beer Tax would do the pauper population good. It was impossible to do that portion of our population good while it remained in a state of pauperism, because its existence involved a constant competition among the labouring population. The remission of taxation could not reach those who were in a state of actual pauperism, and a large class, both in this country and in Ireland, were approximating to that class. All he was anxious for was, to excite attention to the state of pauperism. If any doubt remained on the minds of hon. Members of the soundness of the doctrines which he had laid down, inquiry would convince them that that doubt was unfounded. If he were successful in his Motion, and were allowed to bring the subject before a committee, the propositions which he should be prepared to maintain, and which he would endeavour to prove, would be as follow:—

"1. That the sums raised and applied for the relief of the poor in England and Wales, though mainly bearing on one particular class of the community—viz. the landed interest—ought to be considered, after the deduction of that portion which would otherwise be paid as wages, as much in the nature of a tax as any of those taxes which are to be found in the balance-sheet of the Revenue and expenditure of the country.

"2. That if a pauper population, for whose labour there is no real demand, can be prosperously colonized (with their own consent) at a less expense than would be necessary to be incurred for their maintenance in the mother country, a national outlay for the purpose of such colonization ought to be considered as an economy rather than as an expense.

"3. That if a redundant population were removed by a national effort of colonization, there would be but little danger to be apprehended from what is called 'the filling-up of the vacuum.'

"4. That if the United Kingdom were relieved from its redundant labourers—that is, those labourers for whose labour no real and natural demand exists in society; the remaining labourers might permanently remain in a state of comparative comfort and independence.

"5. That it is expedient to effect such reparation and abstraction of forced from unforced labour as would accurately measure the extent of the redundancy.

"6. That to enable parishes to raise money upon mortgage of their poor-rates for a period of years; such capital being specifically applied towards the emigration of voluntary candidates who may prefer independence in the colonies to pauperism at home; would be a measure highly favourable to the landed interest.

"7. That in the event of home colonization, the ratio of danger as to the filling-up of the vacuum must be double as compared with foreign colonization.

"8. That if the vacuum were to be filled up, the policy of a measure of colonization must be governed by a comparison of the increment of the expense of maintaining the new pauper population, with the decrement of the expense of maintaining the removed population, supposing them to have remained at home.

"9. That there are no means of producing wealth more effective than the combination of an able-bodied population, with uncultivated land of the first degree of fertility.

"10. That, independently of the special advantage to the landed interest, and to the labouring classes, the expenditure involved in such a measure of colonization would not be, in any degree, prejudicial to other classes possessing property in society.

"11. That, as a pauper, while he continues a pauper, receives necessarily only a bare subsistence, he can neither suffer from taxation, nor be relieved by its remission.

"12. That the application of any portion of surplus revenue for the purpose of raising a capital to be applied in the first instance in the home employment, and secondly, in the colonization of the poor, would be more beneficial to the labouring classes of the community, than if the same sum were applied in the reduction of public debt, or in the remission of any class of taxes to the same amount."

An examination would enable him to convince the House that what he had stated was the fact; and then only, when the House were really disposed to make the experiment, would it be able to afford substantial relief to the labouring and suffering classes of the country. He begged to offer the House his best thanks for the attention with which they had heard him, and he would now no further trouble them than by quoting an aphorism of Lord Bacon, who was the enemy of colonization in general, but whom he considered the best defender of the principle which he had endeavoured to recommend to the House. Lord Bacon had said, "Things will alter for the worse spontaneously, if they are not remedied decidedly; and then who can say what will be the end of the evil?" In the same manner he would say, that if things were not altered speedily and decidedly, they would go on getting worse spontaneously, and there would be no end of the evil. The population would be unemployed, distress would increase; and if a year passed on without Members being convinced of the truth of what he had said, the period would arrive when they would see there was no other measure but a well-planned system of emigration, which could reach the intensity of the evil, and then they would feel the mortification of disappointment, until opinion universally pointed to the true remedy; to that which he had endeavoured, though imperfectly, to describe. The right hon. Gentleman concluded by moving "that the House resolve itself into a Committee of the whole House to consider of the State of the Poor of the United Kingdom."

Mr. *Portman*, in seconding the Motion of his right honourable friend, said, that he considered some plan of this kind of the utmost importance to the labouring classes of the country. He was convinced that the redundancy of the labouring population was the great cause of their distress. That fact was shown in the state of the county of Dorset. In the short time he was in that county during the Easter recess, no less than 370 persons applied to him to procure them the means of going out with their families to the Swan River, for they were all without the means of procuring a passage. The right hon. Gentleman had made four divisions of the poorer classes of this country. He thought he could make two divisions that would be as nearly accurate as those of the right hon. Gentleman. He should, he said, divide them into poor and paupers. Of the whole of this country the portion north of Warwick, or, perhaps, north of the Thames, might be stated to be that in which the majority of the people were poor; while in that portion of the kingdom south of Warwick, or south of the Thames, the majority of the people were paupers. These latter might be sub-divided also into two classes; those who were paupers in consequence of age or infirmity, and those who were reduced to that situation from the want of sufficient wages to maintain their families. Those who were reduced to pauperism by age or infirmity were supported by poor-laws, and with respect to them no alteration was required; but for those who sunk into pauperism either from the want of work, or from want of sufficient wages, it was necessary that something should be done. The House ought not to interfere with the wages of labour. Mr. Burke had truly said, that to attempt to establish a *maximum* or *minimum* of wages was mischievous in the extreme; for labour was a commodity, and every interference with the laws of trade for such a purpose must be injurious. The profits of labour, not the subsistence of the labourer, was the object kept in view by the capitalist, and the labouring classes were, therefore, only fully employed when their employment would afford a profit to the men who engaged them. His right hon. friend seemed to think that a diminution of taxes would not produce any very favourable effect. On that point he differed from him; because he thought that a reduction of taxation would put money into the pocket of the agriculturalist, which would enable him to take some additional pauper labourers out of the market. Unfortunately, in such a population as ours, every married man was an evil, for the market for labour was regulated by the bachelors, and the married men must descend to their terms, for the bachelor could not rise to that of the married man. The evils of tampering with this subject arose from the endeavour to legislate for each parish, and he thought there ought to be one general measure, declaring that in each parish the will of the majority of rate-payers, assembled in vestry, should bind the minority. The laws of settlement which erected a wall round every parish, and converted it into a prison for the labourer ought to be altered, and then only would the labourer have the means of carrying his labour to a free market. He recommended that a small portion of land should be given to each pauper, and he was convinced that the poor-rates would then be materially diminished. One great means of alleviating the wants of the poor man would be, to allow him to have a small portion of land to cultivate. Encouragement of that kind would prevent him from falling into the condition of a pauper. He believed that the multiplication of very large farms, which prevented the poor man from getting a small quantity of land to cultivate, had been attended with very injurious effects. As the law of settlement now stood, the poor man could not procure land; because, if he rented land to the amount of 10*l.* a-year, it gave him a right of settlement in the parish, a circumstance which induced the landholder not to let his ground. The consequence of this, and of what he might call the destructive monopoly of the land, combined with the poverty of the people, were most afflicting. It happened to him lately to be present at a Quarter Sessions, where a person was indicted for stealing haulm or bean-stalk, to place under his father's feet. Another was tried for stealing a truss of straw to make a bed. In the former instance the jury refused to convict, because they said the practice of taking haulm for such a purpose, and to make litter for pigs, was universal in the county. In the second case, they did convict, but the man was strongly recommended to mercy, on the ground that it was also customary for the people to steal straw to make beds. If men were allowed a small piece of land, they could themselves cultivate it, and they would then obtain litter for their cattle, and beds for themselves, which they were now unable to buy, and which it seemed they were compelled to steal. He knew, however, that what he now proposed could not be adopted without a change in the law of settlement. He hoped, that should the committee be appointed, the currency question would be kept out of view, for it would only excite a difference of opinion, and detain the House from matter that was much more important.

Mr. *J. Smith* supported the plan of giving each pauper a small portion of land. He had done so three years ago, to a certain extent, in the eastern division of Sussex, and the result had been most satisfactory. He had allotted to a number of poor persons rather more than one acre each, and not only were they kept from demanding parish assistance, but, beyond his utmost expectations, the result had been most beneficial to himself. A Quaker gentleman, of the name of Allen, who also had property there, adopted the same plan; and he could assure the House that every one of those individuals who took these small portions of land paid their rent regularly; and they procured by their labour on the soil from 3*s.* to 5*s.* 6*d.* a-week. The consequence was, that they did not receive any parochial aid, and the poor-rates in the parish had been reduced nearly one-half. If, instead of this, individuals were compelled, as they were in many parts of England, to work on the roads at 6*d.* and 8*d.* a day, and to sleep in barns and out-houses, there could be no wonder that they forgot their duty to society, and that when temptation came in their way, they fell into the commission of crime. He implored the attention of the House to this subject.

Mr. *Benett* could not agree with the right hon. Gentleman as to many of the principles he had stated. Among the rest he could not possibly concur with what the right hon. Gentleman had said respecting the currency. He did not wish to introduce that question unnecessarily into this discussion, but he must make one observation upon what the right hon. Gentleman had said. He was not friendly to a depreciated currency; but he could not help thinking that the adoption of the present currency had taken from a number of persons connected with the productive classes of society the same means of employing the labour of men that they before possessed. He thought, therefore, that a limited return to our former currency would provide a greater means of employment, and consequently a greater demand for labour. He must confess that he was quite astonished when he heard the right hon. Gentleman say that the reduction of taxation could have no effect on the labouring poor. Why the reduction of taxation would afford increased means of consumption to the higher and middle classes, and consequently increased opportunity of employment to the labouring poor. Without a large reduction of taxation, he was convinced that emigration would afford but very little relief; for though many might be removed, numbers would soon spring up to fill up their vacant places in the class to which they had belonged. In a parish near him, a clergyman had nearly done away with the poor-rates, by apportioning the glebe land for the poor to cultivate. This could not be done to a sufficient extent to relieve the whole country, but relief might be effected by a return to the former currency, united with a diminution of all the taxes that pressed upon country labour.

Mr. *Courtenay* thought it would be extremely unadvisable to go into a committee, which would only occupy time without the least expectation of coming to any practical result. He had still higher ground on which to object to a committee. It would be an abuse to the country to appoint a committee to take into consideration the state of the labouring poor, unless the House felt confident that that committee would be able to devise something which would administer to the suffering classes extensive relief. He agreed with the right hon. Gentleman that there had been a great redundance of the labouring poor, but he could not bring himself to believe that that redundance had been caused by the poor-rates. He had reflected much on this subject, and he was satisfied, that all the House could do would be to amend the poor-laws; and if that were not sufficient, then to have recourse to emigration. But to attain neither of these objects did a committee appear to him to be the most desirable mode of proceeding. The right hon. Gentleman approved of the bill introduced by the hon. Member for Shrewsbury, and had proposed amendments to it, a course which he thought more likely to promote the object the right hon. Gentleman had in view than that which he now wished the House to adopt. The right hon. Gentleman had said, that of many select committees not one had produced any good; but he must remind him of one exception; for one committee had produced a bill which had certainly checked the progress of the poor-rates. The evil of the poor-rates had not increased in any thing like the proportion that had been expected twelve or thirteen years ago. There was not a single term used by the right hon. Gentleman, respecting the impossibility of the country continuing to go on as it had done, which had not been used and applied over and over again in the same manner during a century and a half. The right hon. Gentleman wished to know how much of the poor-rates were paid to those who were willing to labour, but could not get work, and he had recommended a classification of paupers, but neither of these objects were proper to be debated in a committee. If a committee upon the subject were to consist of thirty-five Members, he was sure there would be thirty-four plans and a half started, each of which would require to be debated. The letting of lands to labourers would be facilitated by the bill then in the House, which gave a power to parishes to let out land for the employment of the poor. He could only say, that whatever improved the prosperity of the country must improve the condition of the people; but it would be impossible to get rid of the poor altogether, unless they could have a constant progressive prosperity without any check, and keeping pace with the increase of the population. The right hon. Gentleman's Resolutions were a sort of reasoning pamphlet, and he could not expect any committee to agree to his Resolutions; they would cause an endless discussion. He would recommend the right hon. Gentleman to abandon his measure, and proceed with his bill for emigration.

Mr. *Slaney* willingly acknowledged the services rendered by the right hon. Gentleman in bringing the subject before the country, for there never was a period which more imperatively called upon the House, as a matter of policy and duty, to consider the question of population in relation to the means of employment. There had now been a period of fifteen years of peace; and instead of having improved the condition of the labouring classes of the community, the peasantry of the southern counties of England had decidedly deteriorated. Mansions had been built, and riches spread throughout the land; the higher classes possessed enjoyments which they had not possessed before, and the middle classes had enjoyments which their forefathers had not; but the working classes, by whose labour they attained their enjoyments, instead of advancing with the progress of civilization, had fallen back. No man who looked to the consequences could contemplate the effects of this continual deterioration without alarm. Was not this a case to call on Government, and upon that House, calmly and sedulously, but firmly and steadily, to look at once at the nature and extent of the evil, and at its probable consequences. The great body of the working classes might be divided into two sets perfectly distinct—he meant the agricultural and manufacturing population; but of the latter it was not his intention to say a single word. With reference to the peasantry, they might be divided likewise into two classes, perfectly and clearly distinct from each other. An hon. Member had spoken of the redundancy of the population, which certainly might exist in the south of England, but it could not be said to exist in the northern counties. The greatest distinction existed between the southern and northern parts of the kingdom, as much, indeed, as between the people of any two distinct kingdoms; and it was for the House to trace the causes of the difference. In twenty counties of the north the poor were well off, with plenty of work and good pay for their labour, and the parish rates were lower than in the South; whilst in the South there was an immense body of the poor depressed and degraded, as compared with their brethren of the north. The poor rates in the county of Sussex were as high as 7*s*. in the pound, whilst in the north they did not exceed 1*s*. 6*d*. In the north the poor-laws had been kept to their original intention, whilst in Sussex they had been wrested completely from their purpose. In the north only one person in forty applied for relief out of the rates, whilst in Sussex the proportion was as one to three. In 1793, the price of food to the poor man was proportionate to his wages, but now things were regulated by a new principle. In the interim, the prices of wages and food had oscillated; wheat in one year had varied from 60*s*. to 150*s*. the quarter. It had been utterly impossible in those years for the labouring man to support himself, and in the north the temporary expedient of subscriptions had been resorted to; whilst in the south the expedient had been adopted of paying the wages of labour partially out of the poor-rates; and of all schemes ever invented, never had there been one more detrimental. A scale of these drafts from the poor-rates had been fixed according to the prices of bread. This had commenced in Sussex. Was not Government bound to consider the effects of this system? A few years ago the proportion of paupers in this kingdom had been as one in twelve; soon after as one in nine; soon after as one in seven; and now he believed it to be as one in six. He could refer to documents to prove that throughout this kingdom one person in six received aid from the parish. The period which had produced this was that of the oscillations; but now that the cause had passed away, why not revert to the old practice? In the northern counties the poor labourer received twelve shillings a-week, whilst in the south he received five or six; and yet it was infinitely cheaper to pay a man good wages, and stimulate him to use all his energies and exertions; for when the peasantry were degraded they were lost to the country and to themselves. It was both the policy and duty of the landlord to elevate the humbler classes. The Report of the Committee of 1815 had stated in the most plain manner what had been the cause of the abuse of the poor-laws in the South of England. Five different committees had agreed in the same opinions, and they had recommended the same remedies; namely, to go back gradually and cautiously to the system of the poor-laws which had existed before the abuses had been introduced. They had the experience of various parishes, which had returned to those laws with the happiest effect. The success had been uniform, and where wages had increased pauperism had diminished. It was in consequence of the abuses of the poor-laws that the redundancy of the population existed in the South of England; but all remedies were useless that did not tend to restore the proportion between employment and capital. All that was necessary, however, was to take away the existing stimulants to population, and to leave the natural laws which regulated population to their own operation. The poor would be then more industrious and cautious, and take better care of themselves. The right hon. Gentleman opposite (Mr. Peel) was not insensible to the sufferings of the multitude; and he saw the necessity of assisting the classes that were distressed and degraded. It was evident, indeed, that unless something were done, the country would go on from worse to worse. Turn which way they would, from the House in which they then were—go into whatever county or place they would round the metropolis, it would be found that one person in every five or six was a pauper. The noble palaces—the splendid mansions that surrounded them—stood upon an insecure foundation and a tottering base as long as the labourers were miserable. He believed there was only one feeling in that House upon the subject, and that was, to improve, by every possible means, the condition of the poor. That was now fortunately acknowledged to be the only way to spread happiness, and to diminish that frightful catalogue of crimes which had increased of late years, and which was the necessary consequence of the destitute and degraded condition of the lower orders.

Mr. *E. Davenport* denied that there was an overpopulation in the country; and he thought it would require great abilities to show that a country, capable of producing subsistence for all its inhabitants, and even capable of producing double what it now produced (were agriculture but improved), could be overpeopled by its present population. The chain which had connected capital and labour had been dissolved; but no person had a right to arraign the wisdom of Providence, until he had found out that he could entirely exculpate the folly of man. Providence might have made man with less of folly, which would have dissolved the argument. He would only say a word as to the proposed remedy by exporting part of the population. When the numbers had been thus thinned in Ireland, for instance, what security was there that the vacuum would not be soon supplied? and certainly there was no country of the world that had a better reputation than Ireland for multiplying the species with rapidity.

Sir *F. Burdett* said, if the right hon. Mover had not yet made much way in his project, he had at least succeeded to the extent of persuading the House that the subject was worth consideration. Nevertheless, he could not yet encourage him with the expectation of a beneficial or speedy result. He wished, on that occasion, particularly to avoid inquiring how far the alterations in the currency might have occasioned the redundant population; and he should, therefore, only say, generally, that on this point he was inclined to agree with his right hon. friend. As to filling the vacuum to be occasioned by emigration, it seemed to him that nothing was more easy than to prevent a rapid increase, when once the numbers were thinned. In the same way, it was easy at any time to stimulate population, but not so easy to *revocare gradum*, and to lessen it after it had been so stimulated. There was the difficulty; and hence arose the question, what was to be done with the present superabundant population? The existence of that superabundance must, for a time, produce great suffering and misery; and whether it were or were not the fault of the legislature, there the people were, and the country was bound to provide for them, and could not allow them to starve. The great feature of the subject was Ireland—get rid of what he might call the annual Irish invasion—of the competition of the Irish peasantry with the labourers of England—and the latter would be left in comparatively easy and comfortable circumstances. The Irish were an honest and an industrious people, and they had a full right to bring their labour to the best market. While the Irish peasant could obtain more for his labour here than in his own country, he must and would come; and the necessary consequence was, that the English peasant was reduced very nearly to the same condition as the Irish peasant. Thus in truth, and in fact, the English country gentleman had his estates burthened to provide for the poor of Ireland. In Berkshire, the mere passing of the Irish poor in a single year had cost from 1,200*l.* to 1,400*l.* The question was, could any effectual remedy be found for this great evil? He was sorry his right hon. friend had involved himself in such a complication of Resolutions, containing many positions upon which no two men perhaps could be found to agree: the more his right hon. friend had advanced into his subject, the more comprehensive his views seemed to be; and it would have been far better if he had limited himself to his original general and simple proposition—that it was expedient to send part of the redundant population to the colonies. As the Motion now stood, it could lead to no beneficial practical result—whereas, if his right hon. friend had brought in a bill to carry his intentions into effect, a substantive proposition would have been made, upon which the legislature would have been called upon to decide. At present the estates of Irish gentlemen were hot-beds of population, and this was an evil that loudly called for remedy. In order that England might continue the sphere of laudable enterprise, he wished to get rid of those who were merely burthensome; they might be removed with advantage to all parties to some of our magnificent colonies, the chief difficulty being to determine, of the good, which were the best. The exportation of a comparatively small number would have a great effect upon those who were left behind; as a small overplus of any commodity depreciated it greatly, so a small overplus of population caused an accumulation of misery. The subject of relief could be no topic of dispute—all were anxious to accomplish one end; amicable discussion might lead to the most beneficial results, and Ministers would, he was sure, be grateful for any useful suggestions. He would confine the view of the House simply to the point, whether it were not possible to remove to the colonies a large portion of the population of Ireland, and of Ireland alone? In that country there were no poor-rates; and as the present management of Irish estates produced the evil, a rate, not in the nature of a poor-rate, might perhaps be levied upon them, to aid in the accomplishment of the object. He could not agree with his hon. friend (Mr. J. Smith), that to give every poor man an acre of ground would remedy the evil. First, how would it be possible to give every poor man an acre of ground? and secondly, if it were given, was not that the very system that had prevailed in Ireland, and which had occasioned the redundant population? What had happened in Ireland would then happen in England; and the mischief, instead of being amended, would be increased. There were two ways by which the lower orders might be benefitted. 1st. By giving them higher wages; 2nd. by reducing their numbers—though the second was, in fact, only another mode of accomplishing the first. Then as to the introduction of machinery, it was undoubtedly true, that it might, for a time, throw hands out of employ, but in the end the increase of the branch of trade in which machinery was used would require the active exertions of many more men than had in the outset been temporarily injured. When he talked of a rate for Ireland, he was ready to admit that the subject deserved grave consideration: colonization must be attended with a heavy expense; but the present state of the poor also caused an enormous expense, and the expense of emigration would not be great if those parishes that were relieved contributed their due share towards the attainment of relief. From the effect of those contributions the parties would soon recover when once the superabundant population was removed. He hoped that his right hon. friend would not press his Motion to a division, because it would lead to no beneficial practical result.

Sir *G. Murray* said, he should only offer a few observations, in consequence chiefly of what had fallen from the hon. Baronet, to whom he had listened now, as always, with great satisfaction. He concurred entirely with what his right hon. friend (Mr. W. Horton) had said on the subject of emigration to the colonies: that opinion was not new to him, for he had entertained it when he was in the Canadas, and he had stated it in a paper he then drew up, on a means of forming a better defence for those provinces. He thought now, as he had thought then, that the only certain and permanent means of providing for the defence of the Canadas was by directing to them a stream of population from the mother country, attached to her interests, and resolved to maintain her possessions. The difficulty of holding out much encouragement on the subject of emigration arose from the strong prevailing disposition in favour of it. If much encouragement were given, that disposition would be increased to a dangerous, or at least to an injurious extent. With a view practically to promote this benefit, he had turned his mind with great attention to the question, and the mode in which he thought the object might be obtained was this:—First, by establishing in the colonies themselves a well-considered system, with reference to the grant of land, and then by degrees, when that system was brought to maturity, to establish in some of our ports, agents to whom persons desirous of sending out emigrants might address themselves, in order to facilitate or provide passages, and to make those arrangements in detail which landed proprietors, societies, or parishes, would find it difficult to make themselves. But in considering this plan, it had always appeared to him impracticable for the country to go to any great expense in order to convey emigrants, to our North American Colonies, for instance. Therefore, in order to give a commencement to the plan, when applied to, he had held out that, on the arrival of the emigrants in the provinces, they would receive land free from any expense but the usual fees on making the grant. The outline of the plan was this:—That those who came out with money ready to make purchases of land, should be provided with it; that those who on coming out required no assistance, but, at the same time, were not able to pay for the land, should have it on discharging the ordinary fees for the survey, &c.; a third class were those who came out and required aid; besides having their land free of any expense, it was doubtful whether it might not be fit to give them assistance in the first instance in the erection of log-houses. Whatever was done, caution was necessary, or such a tide of population might be poured into the provinces as would overflow the country, and be attended with great inconvenience. He stated these views to show that he had not neglected the important subject, and he would only add one word as to the invasion from Ireland of which the hon. Baronet had spoken: that was, that in his opinion, the most certain, and he might say, the most legitimate mode, of getting rid of that evil was, by promoting the prosperity of Ireland. He would conclude by merely adverting to what he had already done to carry into effect a plan of emigration. The Duke of Hamilton had applied to him on behalf of some persons who wished to emigrate from his estates: land had been given them for the mere expense of the survey—the settlers were sent out, and they had been provided for to their entire satisfaction. A similar application had been made by the hon. Member for Ludgershall with reference to emigration from Ireland, who was informed that he (Sir G. Murray) was ready to act on the same principles that had guided him with respect to the settlers from the estates of the Duke of Hamilton.

Mr. *Baring* had always been of opinion, from the time he was a member of the Committee, that relief might be given by emigration, and it was the interest of parishes in the southern parts of the kingdom, which were suffering so severely from the pressure of the poor-rates, to contribute to this desirable end. With respect to the fact of the redundancy of our population, he wondered how any Gentleman could entertain a doubt upon it. Experience had proved that the theory of Mr. Malthus was correct. Those who in this country were in a state of abject pauperism, in the colonies would be in a condition of comparative comfort. Only two remedies worth consideration had been suggested:—the one was Emigration, and the other was an alteration of the Poor-laws, reverting to what had been properly called a sound interpretation of that system of enactments. An union of these remedies might perhaps be effected. Let relief be refused to the able-bodied, but there must be at the same time the means of conveying them to the colonies. This arrangement would remove all the dangers apprehended from a transition from the present system of parish relief to that of refusing relief to the able-bodied. If the poor-rates were applied only to relieve the aged and infirm, and an opportunity were afforded to the young and able-bodied to proceed to the colonies, much might be accomplished for the benefit of this kingdom. He thought, therefore, that the members of the legislature ought to make up their minds whether they would or would not try the experiment of revising the poor-laws, instead of having every year a debate upon the subject, which debate always ended in nothing. He, for one, was ready to make the experiment; but he should make it with greater confidence if, at the same time, the surplus population could be provided for by emigration.

Colonel *O'Grady* denied that in Ireland there was a redundant population, if the waste land were brought into a proper state of tillage; and he maintained that England had no right to complain of what was termed the Irish invasion, because the absentee nobility and gentry spent in this country much more than the Irish peasantry took away.

Lord *Althorp* thought a Committee of the whole House—not for the purpose of examining witnesses, for that would be absurd, but for the purposes of discussion—might be attended with very beneficial effects. He thought also that no new measure ought to be introduced affecting the state of the people, or applying to the administration of the poor-laws which would not have the effect of making those who contracted imprudent marriages, at an early period of life, find themselves in a worse situation than if they had exercised a greater degree of foresight and discretion.

Mr. *A. Baring* explained, that he was quite averse from returning to the old system.

Mr. *Slaney* observed, that the great principle of the old system was to find employment for the able-bodied labourer.

Mr. *Hume* said, that he disapproved of charging emigrants any thing for land. The county ought rather to be at some expense to remove the paupers, than to throw impediments in the way, by seizing on the land, and not allowing it to be occupied unless its fees and exactions were paid.

Sir *George Murray* said, he had given directions to diminish the fees as much as possible. It was his wish to diminish the impediments to emigration.

Mr. *W. Horton* rose to reply. He said it was the duty of the House to assert distinctly whether or not it were prepared to relieve the country from the effects of that redundant population now pressing upon its resources. It was indisputable that the population of Ireland, as compared with the demand for labour, was prodigiously redundant, and he saw no means of relief from that redundancy that could be at all considered effectual except those which he had recommended, and which he should feel it his duty to continue to recommend, notwithstanding the apathy with which they appeared to be received. It was in vain to talk of the Colonial Secretary affording facilities for emigration—

he had not sufficient funds at his disposal. He was recommended to bring in bills, which he could very easily do, but they would prove of little use, unless money were provided to carry their provisions into effect. Bills without money were but so much waste paper. The House might rest assured that 1,000,000*l.* applied to the purposes of emigration would do more good than any reduction of taxation which could possibly be effected. He knew the House received with distaste much of what he thought it his duty to say upon that subject; but he should persevere—more for the effect that might be produced out of doors, than for any thing he hoped to effect within the walls of that House. He hoped that the influence from without would urge forward some energetic means for ridding the country of the incubus of population by which it was oppressed—means for spreading English feelings and English institutions over the fertile plains of the new world. He should feel great pleasure in consenting to withdraw his present motion for a committee, but he was determined soon again to bring the subject under the consideration of the House, either by moving a resolution, or by introducing a bill, when he should take the sense of the House upon a distinct question, whether or not it would look at the difficulties of the country with a view to provide an adequate remedy for the existing evil.—Motion withdrawn.

WELSH JUDICATURE.—ADMINISTRATION OF THE LAW.] The *Attorney General*, after adverting to the lateness of the hour, said, he intended as shortly as possible to call the attention of the House to a Motion of his which stood on the paper, the object of which was, to introduce a Bill for the better Administration of Justice in Wales, and which must be accompanied by some further measure, such as that House might deem necessary, in respect of the procedure of the English Courts of Common Law. He also intended to propose some additional regulations in the English Courts, which would certainly not be required by anything necessary to the Welsh Judicature; but which, he conceived, would in itself be found highly expedient and advantageous. Alterations of that nature had been alluded to in the Speech from the Throne; and the present, he had to inform the House, was one of the measures in contemplation of the advisers of the Crown, at the time that Speech was pronounced; and it was submitted to the House with the view of carrying his Majesty's gracious recommendation into effect in that matter. The proposition which he had to submit to the House naturally divided itself into parts—the first, such enactments as might be necessary for assimilating the administration of justice under the Court of Great Session of Chester, and in the principality of Wales, to the administration of justice in England; and, secondly, such alteration in the regulations of the English Courts as might be necessary for that purpose—arising out of these, there would be some incidental alterations necessary for effecting the due dispatch of business, and for rendering the practice of the courts uniform and regular. The administration of justice throughout England and Wales was confided to twenty judges—twelve in England, eight in Wales—of course he meant the administration of the Common Law. The first step would be, to reduce that number to fifteen; thereby removing five from our judicial establishment. Not only would these appointments be an ultimate saving to the country, but the offices attached to several of the courts would also be removed. He mentioned this in justice to Government, which, in consenting to forego so large a share of patronage as this would involve, most clearly evinced that its only object in the proposed alterations was the benefit of the community. With respect to the number of judges, it was well known that, at different periods, it varied considerably. At one time it was eighteen, at others fifteen, sixteen, and seventeen, but, for the last 100, or, he might say, 130 years, the number had been limited to twelve for England; and it was remarkable that this comparatively small number had despatched a greater share of public business than was performed by the judges of any other country in the world. The way in which he should propose the addition to the present number in England would be to add one to each of the Common Law courts. One of the five of which each court would then consist would have to sit at chambers, take bail, and do the other business out of court, which one of the judges in each court now usually performed in Term. It would be a matter of regulation amongst the judges themselves, which of them should attend to the chamber business in the Term; but it was the intention of the bill that only three puisne judges should sit at one time with the chief judge in each court, the number of four having been found, from long experience, to be that which was most convenient, and to which, as having been long accustomed to it, the public looked with the greatest satisfaction. It was also intended that while the four judges sat *in Banco*, the other judge should sit at *Nisi Prius*, which would have the good effect of facilitating the despatch of business, and also prevent the necessity of the chief judge of the respective courts, who usually took the *nisi prius* cases, leaving the court on certain days in Term, thereby often occasioning much delay to the business of Term. In this way alone there would be a saving of two days in each Term. The Bill would also propose an alteration with respect to the length of the Terms. At present some inconvenience was felt from the periods at which they commenced. Michaelmas Term began on the 6th of November, and ended on the 29th; Hilary began on the 23rd of January, and ended on the 12th of February; Easter began this year on the 28th of April, and ended on the 24th of May; and Trinity, on the 11th of June, and ended the 30th. The time for holding Easter Term was, of course, variable, as it began on the Wednesday fortnight after Easter day. When he was first acquainted with the practice of Westminster Hall, a much longer time was allowed for vacation, and that before the Michaelmas Term was much longer than at present; but for the last ten years the attention which barristers were obliged to give, owing to the increased number of days during which the courts sat, left too little time for relaxation, and for that which was even more important to the profession than relaxation, he meant the time necessary for study. In stating this, he of course meant to cast no imputation on the noble and learned Judge who presided in the Court to which he more particularly alluded. No man could feel a greater respect for that noble Lord than he did, and no man was more impressed with the constant and unremitting attention which he gave to business, even to the risk of his own health; yet with the great attention which he bestowed, the business of the court had got into arrear, and that arrear was on the increase. The two measures which had been introduced by the noble and learned Lord for facilitating the despatch of business in the courts had not succeeded. The first measure was soon after repealed, and the second,—that for enabling three of the judges to sit *in Banco* out of the Term to discharge the arrear of Term business, was also unsuccessful. Indeed, it could not be otherwise; for it was a court without a bar and without an audience, and was not looked to by the public with that feeling of satisfaction which was so necessary to bring to it the business which was taken to the court in Term. The changes which he should propose would be—first, that Michaelmas Term should begin on the 2nd of November, and end on the 24th. This would give time for the discharge of *nisi prius* business for one month up to Christmas. There would then be a short vacation until the commencement of Hilary Term, which would begin on the 8th of January, and end on the 28th. By this arrangement two days which, by Act of Parliament, were *dies non* in our law courts, would be excluded, and so much saved for the business of the Term. He would limit the sitting after Hilary Term to one month, as about that time the circuits would begin. Generally speaking, the circuits were at an end the first week in April: he would therefore fix Easter Term for the 15th of that month, and, after sitting for twenty-four days, there would be a longer time allowed, as an interval between Easter and Trinity, than at present. Of this Term he would allow only one week for the sitting of the court. He also proposed that the court should sit only for a month after Trinity, which would leave about two months from the circuits to the Michaelmas Term. There were other points in the Bill to which he would not then advert, which would give greater facilities to the judges for transacting business in chambers, and also for trying causes, by which greater expedition would be ensured. It would be a most important thing to advance a step towards some equalization of the business of the different courts. It was not his intention to propose any alteration in the forms of business in the court—any change which it might be necessary to make in this way would be the subject of separate legislative enactment; but one point which his Bill embraced he did not wish to pass over. This point was, that there should be no arrest on *mesne process* for any sum under 100*l.*, unless upon special affidavit made before a judge, stating peculiar circumstances on which the judge should have a discretionary power. This would in itself greatly diminish the number of arrests. His reason for fixing the sum at 100*l.* was, that no man would be likely to leave the country to get rid of the obligation to pay such a sum, and yet it was necessary to fix a limit somewhere. It was well known that peculiar species of personal property,—such as property in the funds—was not liable to be taken in execution, and persons in debt with such property might go off to another country and live there, receiving the dividends, secure from their creditors. He had fixed the sum at the amount stated, because so extending it would greatly check the number of arrests, while it would not be too violent a departure from the present state of the law; for though many persons might think it desirable that the law of arrest for debt should be wholly abolished, he did not think that the time was yet arrived when it could be done with safety. It would, in no very long time, be seen how this limitation of the law worked, and he had no doubt that the change would be received with satisfaction by the country. In making changes such as his Bill proposed, much must be done at first as a matter of compromise; and if we could not get all the good we wished at once, we should endeavour to get as much as was within our immediate reach. Many might think he had not gone far enough in some points, but he had endeavoured to achieve as much as he could. With respect to the Court of Great Sessions of Wales, other opportunities would occur for going into the subject more in detail. He would now confine himself to stating, that it was intended to abolish the jurisdiction of that court, and assimilate the practice of the Principality to that of England. The law was the same in the two countries—the difference lay in the mode of administration. As the Court of Great Sessions would be abolished, it would be necessary to send two judges on an additional circuit. On this subject, of making a change in the Welsh circuits, it was his wish to do every thing which would make it as agreeable as possible to the inhabitants of that part of the country. He had heard what had fallen from an hon. friend near him on this subject in the early part of the evening, and he could assure him, that it was his desire to meet the wishes of the people of Wales in this respect, as far as he could consistently with the principle of the alteration. It was hardly necessary for him to say that the granting of commissions of Oyer and Terminer and Gaol Delivery was the prerogative of the Crown, and that the Crown could grant such commissions to be held at any time or place, and could extend their jurisdiction over such places as it might deem proper. This matter, therefore, of the extent of circuits was a matter which he thought would be much better left for decision by his Majesty by the advice of his Privy Council, than be brought for discussion in that House; and the more particularly so, as the House could act on the subject only by legislating; and any measure they might introduce for fixing the time, place, or extent of a circuit, must be the subject of an Act of Parliament, which could be altered only by another Act. In the Privy Council, any regulations that might be made by the Crown, if they were found inconvenient, or required amendment, could be rectified in a more summary and speedy manner. He was aware, as had been stated by an hon. friend near him, that in the first Report of the Commissioners on this subject, they recommended a division of counties, in the arrangement respecting the circuits. To such an alteration he could not consent. He would not divide any county, English or Welsh; but whether each county could have a separate assize-town was a matter which must be left for consideration. It would be necessary in some cases to join counties in one assize, for otherwise the business of some would be so small, that it would not hold out sufficient inducement to men of eminence at the bar to attend them; and in fact it might be difficult to get a sufficient bar, unless a union of more counties than one was included in the same assize. But in such union the convenience of each county would be studied as much as possible in the selection of the place where the assize was to be held. The city of Chester would be a great object in making the new arrangements; and it would be a matter for consideration, whether much of the judicial business of the county of Lancaster, bordering on that city, and which was now transacted 50 miles off, might not with much greater convenience to the parties be despatched at Chester.

In cases of union of more counties than one in an assize, it would be necessary that there should be only one sheriff; but in this there could be no practical inconvenience, for there would be a sub-sheriff for each county, by whom the usual business of the office would be transacted without interference. The plan might be extended to Wales which was acted on in the case of Cambridge and Huntingdon, where one sheriff acted for both. The Bill would also embrace regulations by which a jury of either county might try causes originating in the other, and this would be found a great convenience, and tend to the more perfect administration of justice; for such was the difficulty of getting a sufficient number of jurors to act in some counties, that causes were left for trial to a very few, who possibly might, in some instances, be biassed by local interests or feelings. It was also intended that the gaols in the counties should be considered in law as situate in each; and clauses would also be found regulating the mode in which the expense of Court-house and other expenditure connected with the holding of an assize, would be apportioned between the counties joined, according to circumstances. This was the general outline of the measure which he meant to introduce, and though it might seem, at first glance, that it would require voluminous enactments, it would be found that the whole did not comprise more than a few pages. In framing the measure, he had endeavoured to avoid any violent change, or making any at all except in those points where change was expedient to carry the general principle of the measure into operation. It might, perhaps, have accorded more with certain popular notions, that when he proposed a change in the system of judicial administration, he should sweep away every thing at once. He had, however, limited himself to those alterations which were necessary, preserving, as much as possible, the ancient forms. He had little hesitation in saying, that the fifteen judges in this country would have more arduous duties to administer in causes of property than all those who presided over the administration of justice in France. It would not be uninstructive to put the House in possession of the means of comparing our institutions with those of France in reference to this important subject. The courts he would first mention of that country were those called the *Tribunaux de Première Instance*, in which the number of judges varied from three to eight, and one of them called the *Juge d' Instruction* drew up, organized, as it were, the case on which the other judges decided. From the *Tribunaux de Première Instance* a cause might be carried before one of the *Cours Royales*, of which there were twenty-six in the Departments, besides that at Paris. Above the *Cours Royales* was the *Cour de Cassation*, which, in fact, was a Court of Error, appointed to review all the proceedings, and observe that all the subordinate courts administered justice according to the strict forms of law. This Court had no less than forty-five judges, called *Conseillers ;* one chief-president, and three-vice presidents, making in all forty-nine judges, besides a *Procureur General*, six *Avocats Generaux*, a *Greffier*, and four clerks, all of whom were appointed, and paid by the Government. The *Cour Royale* of Paris consisted of fifty-four judges, one chief president, and five vice-presidents, making in all sixty judges. In this Court also, there were attached *Procureurs*, *Avocats*, *Greffiers*, and other officers as well as to the Court of *Cassation*. Each of the *Cours Royales*, of which, as he had said, there were twenty-six in the provinces, had from twenty to forty judges ; and taking the average at thirty, including that of Paris, the number of judges would be no less than eight hundred and ten ; making, with those of the Court of *Cassation*, no less a number than eight hundred and fifty-nine judges paid by the Government. There were, moreover, the *Juges de Paix*, one of whom was placed in every commune. These, too, were exclusive of the *Tribunaux de Première Instance*. There were also two hundred and thirteen *Tribunaux de Commerce*, the judges of which were paid by the nation, the secretaries or registrars being the only officers paid by the Government. The hon. and learned Gentleman next enumerated the items of expenses attendant on each court, and calculated the aggregate at 11,265,465 francs, or 582,536*l*. English, whereas, the expense of administering justice in England was only 150,000*l*. in the sum total. He did not mean to cast any reflection on the French system, but he thought it would be found, on examination, that the number of causes, and the amount of property, decided by the English judges, were fully equal to those decided by the French judges. It might, however, be supposed that the expense being so burthensome to Government, the French suitors would on that account pay less; but this was far from being the case. The charge of a single cause in France, as he was informed by M. Le Roi, an eminent French advocate, if it went through all its stages, would be, he need not enumerate the items,—140*l.*, which he would undertake to say, would cover the expenses of ten causes of a similar description in London and Middlesex. One or two causes here might cost 200*l.* or 300*l.*, but the average of costs for each cause was not 140*l.* The cost of French law proceedings would appear still greater if the parties there had to pay fees to the officers of the court, as they had in England; but in France they were paid out of the general taxes. He would further add, that the expense of a suit in the *Tribunaux de Première Instance* was about 800 francs; to carry it through a *Cour Royale*, it would cost 1000 francs more; and if it went into the *Cour de Cassation* the additional expense would be 1700 francs, making in all 140*l.*, which, considering the difference in the value of money in the two countries, was, he considered, a very large sum. From these facts he inferred, that the law costs in France at least equalled, if they were not much greater than, those occasioned by the administration of justice in England. The proceedings, moreover, were more prolix, and perhaps he might add, more unsatisfactory than our own, in consequence of law questions being mixed up with the facts of the case, as they always were in French courts of justice. It was a great advantage, in his opinion, resulting from the trial by jury in this country, that it determined the merits of a case by coming to a decision on the facts separate and distinctly from the law which might arise out of them. He would take that opportunity of saying, in vindication of that part of the English system which had been sometimes censured, because its working was not understood, that there never was a happier expedient to facilitate the administration of justice, than that of trial by jury. The separation made by that institution, in all cases, of the facts from the law, give to the rules of our law a greater certainty than was to be found in those of any other country. He was happy to have that opportunity of saying so much of what he conceived an excellent institution, because some persons turned it into ridicule. They were to be excused on account of their ignorance of the vast benefits it contained. With respect to the present system of administering justice in Wales, he would set aside his individual opinion for a moment, and adduce that of very unsuspicious witnesses. That evidence was to be found in the report of the Chamber of Commerce in Bristol, and the parties concerned had never thought of anticipating that their sentiments, so expressed, would have ever been brought forward on an occasion like the present. The report alluded to represented that those who might be creditors for debts contracted in Wales to the amount of 50*l.* were obliged to have recourse to Welsh courts alone for enforcing their claims, but that the uncertainty, the risk, and the difficulties attendant on such a mode of procedure, owing to the inefficient operation, and defective constitution of those courts, induced creditors very often to relinquish their debts, as a less evil than seeking to recover them, which caused very great loss and inconvenience to the trading interests of the city of Bristol. The existing system of Welsh judicature he conceived to be erroneous and imperfect. It was a principle there, that every man was supposed to be in court, which not being generally the case, it was necessary to apply to the Courts of Equity to stay proceedings. The judges had lately, however, required that fifteen days' notice of action before the assizes should be given to all persons against whom an action was contemplated. But, up to that time, cases were hurried on without giving any adequate time for preparation, and consequently operated unjustly to the prejudice of the defendant. The Report of the Commissioners had stated, that the expenses of Welsh causes in every stage considerably exceeded those of causes in England. This also was a grievance which he intended to remove, by his Bill, if the House would allow him to bring it in. The hon. and learned Gentleman concluded by moving for leave to bring in a Bill for "the more effectual Administration of Justice in England and in the Principality of Wales."

Mr. *O'Connell* said, he was quite willing to give the right hon. Gentleman (Mr. Peel) credit for his intention to ameliorate our law, but he disclaimed having heard a single word which induced him to believe that the present change would be in any respect an amendment. He supposed that the object kept in view, in every change ought to be, to make law cheap, expeditious, and certain; but this measure would leave every process as tardy, uncertain, and costly as before. Convenient it certainly would be, both to judges and barristers in great practice, whom it would enable to recreate and refresh themselves; but he was yet to learn that the benefits resulting from this boasted reform would extend to the public. They would have no additional day consumed in their service, nor would the suitors find themselves placed in a more advantageous position for obtaining justice or redress. The arrangement would give a resting-place to many learned gentlemen overburthened with briefs; but it would diminish the number of days devoted to the public service. This was, he thought wrong: he would have no Terms at all: he would have the courts always sitting, for as injustice never slept, so ought justice never to slumber. A fifth judge, too, was to be added to those who already presided in the Exchequer; but for what purpose? Why, in order to help them to do nothing. There was, nevertheless, one part of the Bill which he could not but approve of, that which related to the prevention of arrests for sums under 100*l*. According to the present state of the law, if the merest wretch chose to swear a debt of 100,000*l*. against any individual, not a Member of either House of Parliament, an arrest and imprisonment of the party designated would be the immediate consequence. Not long ago, a woman in Dublin, who could neither read nor write, had made oath to a debt amounting to 60,000*l*., which she alleged to be due to her from a respectable gentleman, and her affidavit was acted on forthwith. Special pleading also was a subject which he wished to see reformed in all its parts, as it only increased the expense of coming at the truth, and prevented the parties from coming into the presence of the judge until their resources were previously exhausted. They then often settled matters by arbitration, which they might have done in the outset but for this precious system of special pleading. They ought likewise to give every county its local court, and facilitate the administration of justice at every man's door. The Secretary for the Home Department had expressed himself favourable to the introduction of such courts, with authority to decide cases of small debt; but why, when the principle was acknowledged, should they not be extended to large debts as well? This advantage Wales had enjoyed hitherto; but it was about to be deprived of it by the Bill in contemplation. They would henceforward be constrained to make application in London before any step whatever could be taken. An American captain might owe a debt to an inhabitant, and before the writ could arrive from the metropolis would most probably pay his debt (according to the sea phrase) by the foretopsail. They must now travel for justice, whether it be in a law case or an equity case, for it was no longer to be extended to them as heretofore at home. By the time about 400 Welsh cases tacked to the tail of the list in Chancery were disposed of, he supposed successive generations of those interested would have passed into the grave. The local tribunals were also to be annihilated. The hon. and learned Gentleman, in adverting to France, might have recollected that justice was there to be had at every man's door; and in this respect the French enjoyed a superiority over ourselves, since they travelled for justice for the first time when they themselves made an appeal to the *Cour Royale*. What consolation was it to us if they were charged exorbitantly for justice? Did their misfortunes alleviate our own? But the hon. and learned Gentleman had forgotten that the expense he had described was for thirty-two millions of people, while the expense here was incurred for twelve. The hon. and learned Gentleman had also omitted all mention of fees when he stated the expense of our courts. He had not enumerated all the expenses attendant on the constitution of our courts when he mentioned 150,000*l*. as the sum total, which he could very easily make appear, if the late hour would permit. In brief, he would for his own part consent to cashier half our army, and get rid of half our colonies, if by so doing we could accelerate and cheapen the administration of justice.

Sir *J. Owen* protested against the measure from a conviction that, by the abolition of local judicature, the costs of law would be more than doubled to the inhabitants of Wales. He was confident that Government would not so far disregard the feelings of the people as to suffer this Bill to go into a committee before the Easter holydays.

Mr. *Wilbraham* had no doubt but it would prove highly advantageous to that part of the country to which he personally belonged. He wished to thank the hon. and learned Member for the bill.

Mr. *C. W. Wynn* was of opinion, that the annihilation of the local judicature would confer an important benefit on the Principality; and he was led to form this conclusion after an attentive consideration of the subject, confirmed by his own individual experience of the practice in these courts themselves. There was, to a certain degree, disadvantage in every change, but here the good counterbalanced the evil. He hoped, however, that the Bill would not be allowed to go into a committee before the assizes, in order to give time for examination of its merits.

The *Solicitor General*, in reply to the hon. and learned Member for Clare, stated that it was a part of the measure in question, so to apportion the business as to provide that the Court of Exchequer should for the future do a fair and reasonable share of the work of the country. It sounded well to propose that they should bring justice to every man's door, but in practical operation it might not be so convenient. The local magistracy would become mixed up with the interests of families, and it was hardly possible to avoid partiality when the same gentlemen were sent again and again to administer justice amidst the same local associations.

Mr. *O'Connell* explained, that he had not desired that local tribunals should be composed of persons selected from their respective neighbourhoods.

Mr. *Jones* defended the character of the Welsh judges, and observed, that several of the most distinguished ornaments of the judicial bench had previously filled the office of Welsh judge. Whether England would be content with having three additional judges when those at present existing were not all employed, he did not pretend to say, but it was certainly hard that the interests of Wales should be made the ladder by which ambitious barristers were to climb to such preferment as three additional seats on the bench must necessarily induce. It was admitted on all hands that the Welsh were attached to their present institutions; and he could not bring forward a better proof of their feelings, than the fact that the inhabitants of Denbigh sent in a petition against this Bill, although the potent family of the Wynns had mustered all their influence at the meeting in that town, for the purpose of opposing its being carried. As to the comparison of expense, made by the hon. and learned Gentleman, between France and England, that was nothing to the purpose; for if the French chose to have expensive law, was that to justify us in submitting to great inconvenience? But even in making that comparison the hon and learned Member had not been accurate. He had omitted Scotland and Ireland, and the local jurisdictions of many stipendiary magistrates. The Bill was a benefit forced on the people of Wales against their inclinations. All the petitions on the subject, except one, were against the measure. He could not imagine what had made the Ministers interfere in the business, for the whole population of the Principality, except a few rich people, to whom it was of no consequence where they got justice, were averse from it. The learned Solicitor General seemed to think that a judge in the neighbourhood was an evil, and he would probably think a judgment delivered at Moscow even better for the people of Wales than one delivered in London. The learned Gentleman seemed to have forgot that there were such things as juries, and deriving all his notions from the courts of equity, he seemed to suppose that every document concerning a cause might be sent up in a box by the coach from Wales. But for the eulogium passed by the Attorney General on juries, he should have been afraid that the next step would have been to abolish them, but he hoped the poor Welshmen would long be allowed to preserve that part of their ancient institutions.

Mr. *C. W. Wynn*, in explanation, stated, that the Denbigh meeting was not unanimous, and that the measure was opposed by the inhabitants in consequence of their expectation that their interests would be injured should the assizes be occasionally removed.

Sir *Christopher Cole* said, he saw no reason why Wales should have a separate judicial system any more than Yorkshire. He was glad that the Ministers had taken the matter in hand, and he hoped that they would successfully carry it through.

Mr. *Cutlar Fergusson* said, he regretted that the Bill did not provide some remedy for the inequality of business in the different courts in England. The judges ought to have equal labour and equal responsibility; but he did not know how that was to be obtained, unless the causes were all placed in one list, and each court should take a part of them in succession. The plaintiff had no right to select a tribunal any more than the defendant. It was said that the Court of Common Pleas was an efficient court, but he found, if the whole business were equally divided between the three courts, each one of them would have one-half more to do than the Court of Common Pleas, and four-fifths more than the Court of Exchequer. It was not fair, therefore, to overburthen, as at present, the Court of King's Bench with so much more than an average share of business. He agreed with the hon. Member for Clare, that it was most desirable to carry justice home to every man's door, but he doubted whether it were possible to find a sufficient number of judges to put such a scheme, on the French plan, into execution. He should think it harsh to force a measure of the nature of that then before the House on any people against their inclination; but not believing, after what had been stated by two hon. Members, that this was the case, he should give his assent to the Motion.

Mr. Secretary *Peel* said, that the proposition of his hon. and learned friend had not been fairly treated. He had proposed to introduce a measure to alter the jurisdiction of the Welsh Courts, and it might have been supposed, as the House had previously been engaged in discussing the twelve propositions of his right hon. friend, that it would, at that late hour, have thought the discussion of one topic at a time enough. The hon. Member for Clare, however, was disappointed that the Bill did not reform the whole practice of all our courts, and he had indulged in many remarks on that subject. He had himself, as a preliminary measure to such a reform, stated his intention to introduce a bill for putting an end to patent offices, and till that, and the question concerning fees were disposed of, the reform of the courts could not be proceeded with. Measures were in contemplation, also, for an equal distribution of business among the courts, and he did not expect that subject would have been brought under the notice of the House, when it was only called on to discuss the question of the Welsh Judicature. The House had heard also a great deal about the repugnance of the people of Wales to the measure, but he would like to ask on which of the representatives of that principality the House meant to rely? The declarations of two hon. Members at least showed that the inhabitants were not universally opposed to the measure. The Welsh had no local tribunal which would be taken from them by the Bill. The judges would go into Wales at different periods of the year, as at present, and when it was said that the Welsh were devotedly attached to their local tribunals, it should be remembered, that at present a great number of causes were sent into England to be tried in order to get rid of local prejudices. It ought also to be observed, when it was said that the Welsh would lose their Equity Courts, that, in fact, most of the Equity cases came already up to London to be settled. It was a curious illustration of the Equity Courts of Wales, that they were chiefly of use to stay the irregular proceedings of the Courts of Law. That was not, however, the time for discussing those matters in detail, and he would not go further into them. He could, however, assure those who had expressed themselves so anxious for delay, that there was no design whatever on the part of Government to force this measure on the people of Wales without giving them abundant time to consider it in all its bearings. Such a disposition, he thought, had been satisfactorily evinced already by his right hon. friend, when he gave notice of his intention so early after the commencement of the Session.

Mr. *Rice Trevor* wished only to state, that he had presented a petition from the county he represented against the change, and in the sentiments of that petition he fully concurred.

The *Attorney General* professed himself disposed to give all the time for delay which could be conceded consistently with his intention to have it passed through both Houses of Parliament before the expiration of the Session. He wished it to be understood that it was no part of his plan to touch the Palatine Courts of Durham, Chester, and Lancaster. As to what had been said of France, he had compared, not the amount of population in the two kingdoms, but the extent of business done by the judges. He had stated that the twelve judges of England decided as many causes, involving as large an amount of property, as the judges of France; and that statement, which he would re-affirm, had not been controverted. He had also distinctly stated, that he meant to propose no alteration in the form of procedure except as to arrests for debt. He could not agree with the hon. Member for Clare in what he had said with respect to special pleading, as he considered the present system unobjectionable, and no man could become a good lawyer without attaining a competent knowledge of it. He knew that there was a sect in this country containing many clever men, who were of a different opinion, but whose theories he regarded as unfounded. He knew one celebrated individual who objected to trial by jury, he knew that that individual had made many proselytes, and perhaps the hon. Member might be one of them. He knew also, that it was very easy to find fault where there was a disposition, and that it was more difficult to defend than to attack, but he would take the liberty of saying, that ordinary talents were sufficient for criticism, while to compose a system required time and genius. When institutions had been matured by time, they modelled the habits of the people to themselves, and therefore, if for no other reason, they were generally deserving of support. He thought, when the time came for a more complete discussion of all those circumstances, that he should be able to satisfy the hon. Member for Clare, that he was wrong also in his wish to carry cheap justice to every man's door. One disadvantage of many judges was the uncertainty of the law, the decision of one tribunal in France being often at variance with another. As to the measure itself, he would only say that those who were concerned in bringing it forward had undergone the severest labour in preparing it for the legislature ever since the second week in November, which, he submitted, did not manifest any undue or inordinate desire to spare themselves, or to hurry it through the House.

Mr. *Hume* animadverted on some observations that had fallen from the Attorney General, conveying, as he conceived, a sneer of ridicule, directed against Mr. Bentham and the doctrines advocated by that writer and his followers. Instead of sarcastically reviling such a man as Mr. Bentham, he thought it would be well for the Attorney General if he would cultivate his principles, and labour to attain the same exalted character in the estimation of the civilized world.

The *Attorney General* disavowed having made any disrespectful allusion to Mr. Bentham or his writings, and he could not help thinking that a very insidious application had been made of any expressions he might have uttered. He entertained a high respect for Mr. Bentham, whom he had not the honour to know personally, although he was acquainted with those who were on intimate terms with that gentleman. It did not follow, however, that the respect which he felt for the writer was to extend to an adoption of his opinions. He did speak of a sect, but he had cast no reflections upon its members.

Mr. *Hume* regretted that he had misunderstood the hon. and learned Gentleman, and was happy to hear him disclaiming any disrespectful intention.

Motion agreed to. Bill ordered to be brought in.

HOUSE OF LORDS.

Wednesday, March 10.

MINUTES.] Lord ELLENBOROUGH'S Divorce Bill went through a Committee.—The Transfer of Aids Bill, and the 12,000,000 Exchequer Bills Bill, were brought up from the Commons and read a first time.

A Report was laid on the Table concerning the National Vaccine Establishment, and ordered to be printed.

TAX ON LEATHER.] The Earl of *Rosebery* presented a Petition from the Tanners of Linlithgow, praying for a repeal of the remaining Tax upon Leather. The noble Lord observed, that he entirely concurred in the prayer of the Petition. The remission of the Leather-tax that had already taken place was productive of no benefit to the public, although it took 400,000*l.* out of the Exchequer. It would be better to reimpose the duty formerly remitted, unless their Lordships were prepared to remit the remainder, and get rid of the penalties and restrictions which caused the previous remission to be of no public benefit.

The Earl of *Malmesbury* said, he could not concur in the propriety of reimposing the Leather-tax, though he agreed with the noble Earl in stating, that the public had derived no benefit from its having been taken off. When Mr. Pitt gave up the 3*s.* duty on hats, he (Lord Malmesbury) went to his hatter and congratulated him upon the reduction, at the same time expressing a hope that the price of the article would be lowered. The answer of the hatter was, that the trade had heard with great satisfaction that the 3*s*. duty had been taken off,—that it had been in contemplation to raise the price of the article; but that, in consequence of the remission of the duty, the price would remain the same. Not only was the price not lowered, but hats were actually 1*s*. dearer than when the duty was in existence. It must be admitted, however, that the tax was one easily evaded. This afforded a reason for considering the probable effect of a remission of taxation, before taking off a particular tax: it was also a reason why their Lordships should consider seriously before they imposed a tax. As he had said already, he could not agree with the noble Earl in the policy of reimposing the moiety of the Leather-tax which had been remitted, for although the public had not been benefitted by its remission, no doubt if it were reimposed the price of boots and shoes would be raised. When he spoke to his shoe-maker on the subject, the invariable answer was, that the advantage of the remission had accrued to the tanner or currier,—it had stopped in *mediâ viâ*—the benefit never reached the consumer. He made an exception in favour of the salt-tax, the remission of which had been extremely beneficial to the agricultural population. In that instance the legislature had conferred a real benefit upon the public. But if it imposed the tax upon leather, the people would not only have to pay so much more for their boots and shoes, in proportion to the amount of the tax, they would also have to pay a per centage on account of the reduction of consumption which taxation invariably occasioned.

The Earl of *Rosebery* did not recommend the re-imposition of the Leather-tax; on the contrary, he thought it advisable to repeal the remaining duty, which gave rise to restrictions that prevented the public from enjoying the benefit of the repeal that had already taken place. The public had derived no advantage hitherto; all the benefit fell into the hands of a few great capitalists.

Earl *Stanhope* was well aware, that the public did not receive that relief which might reasonably be expected from a reduction of taxation upon the raw material. The evil arose from our want of those municipal regulations which existed on the Continent, and by which corporations and magistrates were empowered to fix the prices of the necessaries of life. The ancient law of this country gave such a power with respect to two of the prime necessaries of life—bread and beer. The noble Earl opposite smiled at this; but if he looked into the statute passed in the reign of Henry 2nd, he would find the principle recognized. Such regulations were attended with eminent benefit to the continental consumer, whereas here we had all the evils of exclusive corporations and monopolies, and none of the benefits which they might be made to bestow. He quite agreed in the statement that a remission of taxes on the raw material was frequently of no benefit to the consumer: it afforded an undue profit to the capitalist or the retail dealer,—that was all.

Petition ordered to be printed

Jews.] The Marquis of *Lansdown* presented a Petition, signed by all the respectable inhabitants residing in the town of Liverpool, of the Jewish persuasion, for the removal of the disabilities under which they laboured. This being the first opportunity which he had enjoyed of stating his opinion on the subject, he should say that he knew of no reason connected with the faith which these individuals professed, or with their personal conduct, which ought to preclude them from a free admission to those equal advantages of a civil nature that had been so wisely extended to others. This was not an occasion on which it would be proper to say more on the subject, and he should only add, that he had seen with satisfaction an intimation that a bill for the relief of the Jews was shortly to be brought into the other House of Parliament.

HOUSE OF COMMONS.

Wednesday, March 10.

Minutes.] Notice was given by Mr. Jephson of a Bill to amend the 9th Geo. 4th. c. 83, relating to the selection of Juries in New South Wales and Van Dieman's Land:—by Mr. Frankland Lewis, that he would, on April 17th, move for leave to bring in a Bill to consolidate the laws relative to the payment of the Navy.

Accounts were presented of Proclamations issued and expenses incurred by putting into force the Peace Preservation Acts:—of the amount of money paid by ships for Mediterranean Passes.

Accounts were ordered on the motion of Mr. Alderman Waithman, of the number of persons discharged by the Court for the Relief of Insolvent Debtors from the 1st January 1814 to December 31st 1829:—of Mr. D. W. Harvey, of the number of Informations filed in the Court of Chancery since 1818 having for their object to correct abuses in public charities, and of the number of Petitions presented to the Court:—of Mr. Hume, of the number of Writs or Processes issued by the Solicitor of the Board of Taxes against persons in arrear for Assessed Taxes in Middlesex, stating the number of executions &c.:—of Lord Palmerston of freeholders registered in each county of Ireland on January 1st 1829, and 1830:—of Mr. Martin, of all Salaries and Emoluments paid to persons in the office of Messrs. Puget and Bainbridge, for the payment of Irish Tontine Annuities, with all charges on account of the office, of all fees received at the office, and of all sums remitted to them.

Agricultural Distress.] Several Petitions were presented on this subject by Mr. Burrel, by Mr. Arkwright, and also by Mr. Denison, who observed that the petition he had to present from the inhabitants of Croydon, Surrey, was, though short, full of serious circumstances. The petitioners stated that they could no longer bear to witness the distressed and even starving condition of the destitute labourers, many of whom were out of employment, and must actually die of want, if they were not relieved. They stated that the taxes on beer, malt, and on hops, might be considered as poll-taxes, falling the heaviest on the poor labourers, who were obliged to consume those articles to support their strength, though at present they could get neither this nor any thing else. The want of those necessaries of life was shortening the existence of thousands of labourers. If these taxes were remitted, beer would be reduced from *5d.* to *1d.* per quart. He did not make these remarks from any hostility to his Majesty's Ministers, but he must press on their attention the propriety of taking these complaints into their serious consideration. He wished to enforce these complaints by the strongest language which he could with propriety use, and he should be glad that similar petitions from every distressed district were sent up, as he thought by that means alone would the Government be induced to remit a sufficiency of taxation to give the people permanent relief.

Petitions read and printed.

Duty on Spirits.] Mr. *W. Smith*, in presenting a Petition from a body of men who were not numerous, but very important, on account of their wealth, and the sums they paid to the revenue, he meant the English Distillers, observed, that the prayer of their petition was, that no alteration might be made in the discriminating duty now levied on rum, and on English corn-spirit. They had been induced to present the petition to the House by observing that a petition had lately been presented to it, praying for a reduction of the duty on rum. When that petition was presented he had no doubt that many of its allegations were unfounded, and the petitioners began by denying them. Already the price of spirits was ruinously low in this country, and he thought that any further reduction of the duty on colonial spirits would bring them so much within the reach of every class, as almost to supersede the use of our wholesome national beverage. Indeed he regretted very much to observe that spirits were already generally drank instead of beer, and he could not but fear that the change had led to a deterioration of public morals.

Petition read and printed.

The Standard of the Currency.] Mr. *Wodehouse* asked the right hon. the Master of the Mint, whom he saw in his place, why a copy of the evidence of Mr. Baring, and of the Governor and Deputy-Governor of the Bank of England, relative to the Silver Standard, which the Government had some time back consented to produce, was not laid on the Table. He thought it essential to give the country every possible information on this subject, in order to see if it would afford a means of relieving our distress.

Mr. *Herries* said, that as far as he was aware, there was every disposition to lay all the evidence obtained by the Government before the House. The occasion on which this evidence was given was peculiar, and perhaps for that reason it might be produced; but in general cases he thought it would be inconvenient to say that communications thus made to the Privy Council were not privileged. He thought that when the papers were produced it would be seen that the Board of Trade had done what was most conducive to the end in view. On looking into the papers he found them divided into four. The first consisted of the evidence of Mr. Baring; the second was a statement of information privately communicated to him; and the third was a memorandum of a conversation between him and the Governor and Deputy-Governor of the Bank of England, which, from the very first passage in it, was clearly of a confidential nature. He thought that the Chancellor of the Exchequer would readily agree to lay on the Table all the papers that could properly be the means of affording information to the House.

Mr. *S. Rice* thought the explanation of the right hon. Gentleman satisfactory;

and he wished to know whether any information could be afforded as to the quantity of silver specie exported?

Mr. *Herries* said, that there were not any means of obtaining accurate information upon that subject.

ROMAN CATHOLICS OF GALWAY.] Mr. *O'Hara*, in presenting two Petitions, one from the Justices of the Peace of the County of Galway, and the other from the Roman Catholic Clergy of the Wardenship of Galway, praying that Roman Catholics might be admitted to the privileges of the Corporation of the Town of Galway, observed, that the petitioners stated, that formerly Catholics were admitted to all the privileges of the Corporation. Their rights were recognised by the Charter of Charles 2nd, and by the Irish House of Commons in 1715. The Act of 4th Geo. 1st was intended only to give Protestants a more ready, and secure, and cheap mode of acquiring their freedom. By the late Act of admitting Roman Catholics to the civil offices of the State, they were certainly entitled also to enter the Corporation of the town of Galway; but that was contrary to the words of the Act of George 1st. The petitioners therefore prayed, and he warmly concurred in their prayer, that Parliament would adopt some means of removing all doubt on the subject, and of giving Roman Catholics an equal right with Protestants to share all the privileges of the Corporation of Galway.

Mr. *S. Rice* rose, pursuant to the notice he had given, to move for leave to bring in a bill to repeal so much of the Act of the 4th of George 1st as limits the franchise of this corporation to Protestants only. The hon. Member observed, that it was not his intention to go into any argument on the subject at present, particularly in the absence of those hon. Gentlemen who took a part in the discussion when he presented the Petition. Other opportunities would occur for going more fully into it, should it be necessary. He would confine himself, therefore, at present, to merely stating the grounds on which he asked for leave to bring it in. The Protestant merchants and traders could, by the Act of Geo. 1st. claim their freedom as a matter of right, after a residence in the town, but the claim was confined to them exclusively. The privileges of the corporation were limited to Protestants. It seemed to be the general opinion, that after having passed the bill of the last Session, for the relief of the Roman Catholics, it would be inconsistent with its principle to allow such a distinction to remain on the Statute-book. The only question was, how the inequality should be removed. One mode was by giving the franchise to Catholics as well as Protestants, and the other by taking it from the Protestants; but of the latter mode he could not think for a moment, and it was but justice to the Roman Catholics of that town to repeat what had been said of them by the hon. Member for Clare, that they would never accept any concession at the expense of their Protestant brethren. The hon. Member then moved for leave to bring in the bill.

Mr. *Trant* did not rise to oppose the Motion, but he wished to guard himself against its being supposed, should he remain silent, that he approved of the measure. What steps he might afterwards take to oppose the bill he did not then know, but he looked with extreme jealousy upon any measures interfering with corporate rights.

Leave given, and Bill ordered to be brought in.

AFFAIRS OF PORTUGAL.] Viscount *Palmerston* rose to submit to the House the Motion of which he had given notice, relative to the Affairs of Portugal. His lordship spoke to the following effect:—I feel that I ought, in the first place, to apologise to the House, for having fixed upon a day which, by the general understanding of all sides, is usually devoted to relaxation from Parliamentary duties; but it has been my misfortune, and not my fault. I have already been obliged twice to postpone my Motion. I have failed in an endeavour to make an arrangement with the Government, which would have enabled me to bring it on to-morrow; and I had no alternative, but either to make my Motion to-day, or else to put it off till April; and I did not think, that under all circumstances, I could with propriety, delay it so long. The Motion with which I shall conclude, will be for further information as to the conduct of the Government, with regard to the affairs of Portugal; and I trust I shall be able to establish such grounds for my Motion, that it will be impossible for the House to refuse to accede to it. There may be many occasions, on which it may be the duty of the Government to resist the production of papers, and when it would be inexpedient for the House to press for such production; but in those cases, the Government should stand upon its denial, and refuse information absolutely and entirely; but when the time has arrived, at which the Government think, that information may be communicated to Parliament, without detriment to the public service, surely it is incumbent upon them to give such papers as shall really elucidate the transactions to which they relate, and shall afford such complete explanations, as may enable Parliament to arrive at a sound and correct judgment upon the course which has been pursued: but to give imperfect information, mutilated extracts, and fragments of correspondence, from which the most important parts have been cut off, is to make a mockery of Parliament, under pretence of submitting to its jurisdiction. That this has been done with respect to the affairs of Portugal, it will not be difficult to shew. For several years past, we have been engaged, actively and incessantly, in interference in the affairs, internal and external, of Portugal; we have carried on important correspondence on those affairs, with many of the great powers of Christendom; we have been parties to solemn transactions, deeply affecting the welfare and destiny of Portugal; we have lately, even undertaken the task of attempting to reconcile the conflicting rights and pretensions of the Princes of the House of Braganza, and of settling the order of succession to the throne of Portugal: but in all these negotiations and transactions, is it Portugal alone that has been concerned? Is it Portugal alone, whose interests have been involved, and whose honour has been staked upon the issue? England, also, is seriously affected by these transactions; in her interests far less indeed than Portugal, because with Portugal it was a question almost of life and death, with England only a balance of profit and loss; but in honour, we played by far the deepest game; for it was ours to arbitrate, hers only to suffer: she lay prostrate and powerless with the dagger at her throat, and it depended upon the turn of our hand, whether she should be sacrificed or saved; and when the mighty intermeddle with the destiny of the weak, and make themselves the arbiters of fate, it behoves them to render a clear account, and to shew that they have neither done injustice themselves, nor connived at, nor encouraged it in others. It is, then, a matter of deep interest and high importance, that we should know what have been the principles upon which our Government have acted; what has been the spirit in which the influence of England has been exerted; what objects have been aimed at; and by what means we have sought to attain them. A revolution has been effected, and an usurpation accomplished, almost in the presence of a British force; solemn engagements, to which we were parties, have been broken; gross indignity, by the admission of the Ministers themselves, has been offered to our King; Europe has been strewed with victims ruined by their confidence in us;—negotiations on all these matters have been undertaken, and have ended in acknowledged nothing; England, or at least its Government, is loaded with the reproaches of Europe: we hear

> " —— On all sides, from innumerable tongues,
> A dismal universal hiss, the sound
> Of public scorn."——

But upon all these affairs, so deeply affecting our interests, so nearly touching our honour—we have been kept in profound ignorance; and the Government have preserved a gloomy silence, broken only partially, by a few oracular and mysterious sentences in Speeches from the Throne, and by the imperfect and unsatisfactory papers, which were extracted last Session from the pigeon-holes of the Foreign Office, by the motion of my right hon. friend, the Member for Knaresborough. When I am criticising, let me however be just. The fault of this silence does not rest solely with the Government: this House must also come in for its share. It was not to be expected that the Government should volunteer the production of papers, on a subject which it was so much their interest to keep, as far as possible, out of sight, and out of mind. No man is bound to criminate himself; and no man can be expected of his own accord to stir up a discussion, which he has too much reason to fear, must end in his own condemnation. It is no wonder, then, that this silence should have been preserved, so long as Parliament acquiesced in it; but therefore it is, that I intreat the House to take this matter in hand, and to require the production of that information, which it is so fitting and necessary for it to have. I know that there are many persons in this House, who look with great indifference, if not with actual repugnance, at discussions which turn upon our foreign relations; who think that they sufficiently perform their duties in this House, by devoting themselves sedulously to our domestic concerns; who are willing to leave our foreign affairs to the unquestioned discretion of his Majesty's Ministers; or who, at least, believe those affairs to be matters of peculiar mystery and craft, upon which none, but the fully-initiated, are capable of arriving at sound and satisfactory opinions. Why, as well might a man think, that provided he looked carefully after his estate, and managed his household with economy and order, it was unimportant to him, what might be his behaviour towards his neighbours: a fair character, a good name, the esteem and respect of others, are not less valuable to a nation than they are to an individual: reputation gives influence, and power, and security from molestation, to the one, as well as to the other. When we consider how much our purely domestic interests are concerned in our diplomatic relations with other countries; when we reflect what influence the foreign policy of so great a power as England must necessarily have upon the transactions of the world, and how much it must affect the welfare and peace of nations, it is plain, that both those who look only to our own selfish interests, and those whose views take a higher flight, ought equally to watch with jealous anxiety every step of the Government in these matters. But then as to the difficulty of understanding these things. It may suit the purposes of some, to endeavour, like the High Priests of Egypt, to keep knowledge to themselves, by locking it up in mystical and unintelligible language; but the days are gone by, when diplomacy was an occult science; the intercourse of nations must now be conducted upon the same principles as that of individuals. Plain dealing, sincerity, and a regard to justice, are the most successful policy in the one, as well as in the other; the communications of cabinets are now so frequent and unreserved, that nothing can long be kept secret in Europe, and if there are a few *ultimi Romanorum,* not indeed citizens of the republic, but rather subjects of the empire, who still linger on the stage as specimens of an obsolete and exploded school, their manœuvres and intrigues, whenever they may attempt them, are sure to be nipped in the bud, and to be blasted as soon as born, by immediate and unmerciful exposure. I say then that every English gentleman, who brings to the debates of this House, an honest mind, and a manly and generous spirit, will find it just as easy to judge of these matters, if he will only insist upon having proper information, as he would of any thing else, to which he may direct his attention. I therefore implore this House to rouse themselves from that apathy as to our foreign affairs, which has prevailed so long; for they may be assured, that never upon a matter of high national concernment, was the salutary control of their interference more urgently required. The case between me and his Majesty's Ministers, as to the affairs of Portugal, is shortly this; they condemn, (as who could not) the conduct of Don Miguel, in violating his engagements to us, and usurping the throne of his niece; they say, indeed, that his bad conduct, and bad qualities have been somewhat exaggerated, but they admit that as regards us, he has broken his faith to England, and has personally insulted our Sovereign, and that as regards Portugal, he has been treacherous, and perjured, and tyrannical, and cowardly, and cruel. They assert, however, that we have not been so mixed up with these transactions, as to give us any right to interfere; that our practice and principle have invariably been, non-interference and neutrality; and that any other course on this occasion, would not only have been unjust, but would inevitably have involved us in war. I maintain on the contrary, that their alleged principle of neutrality and non-interference, has only been a cloak, under cover of which they have given effectual assistance to that party, whom they secretly favoured; I maintain, that in all times, but more especially in recent times, England has been so mixed up with the affairs of Portugal, that to say, that it has been our practice and principle not to interfere in those affairs, is to contradict the records of history; that not only have all former Governments so interfered, but that this very Government itself has never ceased so to interfere, from the first day of its existence, down almost to the present hour; but that its interference, whether by negotiation, or by open force, has invariably been directed to assist and confirm the usurpation of Don Miguel: I maintain, that the solemn engagements taken by Don Miguel, and to which he chose to make the King of England a party, gave us rights of interference with respect to him, which we should not otherwise have had; that a due regard to the dignity and good faith of the nation, and to the personal honour of its Sovereign, required us to enforce those rights; and I further maintain, that so far from incurring any danger of war by so doing, we might have accomplished our purpose, without any war at all; whereas the course which has been pursued has brought us to a situation, in which the Ministers themselves confess, they are not free from apprehensions as to the continuance of peace. It has been a disputed question, whether the Government of England were counsellors beforehand to the Portuguese Constitution; be this as it may, there can be no doubt, that by circumstances, over which that Government had no control, the name of England was so much mixed up with the introduction and establishment of that Constitution, that public opinion in Portugal, linked together that Constitution and English connexion, in such a manner, that no official disclaimers could effectually destroy the impression. As to the question itself, however, my firm conviction is, that the English Government had nothing whatever to do with the granting of the Portuguese Constitution. I say not this, as a vindication from an imputation, but as the statement of a truth. I confess, that if the English Government had advised the Emperor Don Pedro, to bestow free institutions on his Portuguese subjects, as a parting gift, upon abdicating the throne, I think they would have done a wise and praiseworthy act; and one, which, so far from denying, they might justly have been proud of; but if we will only solve this question by chronology, and pay the slightest attention to dates, we shall see that it was physically impossible they could. King John died at Lisbon on the 10th of March, 1826. The news of his death reached Rio de Janeiro about the 26th of April, and it appears, from the papers before Parliament, that within a few days afterwards, Don Pedro had determined upon giving a Constitution to Portugal; by which time it was impossible that any communication could have reached the Brazils, sent from England after the death of Don John was known in London. It will be seen, therefore, that in point of fact, it was absolutely impossible that the English Government could have had any thing to do with this grant, and that it must have been the spontaneous act of Don Pedro himself; an act, however, not arising from levity or caprice, but suggested by the use of his own experience, and by a prudent attention to the signs of the times. I am speaking now, not of the details of this Constitution, which might or might not have been better adapted to the existing state of parties and interests in Portugal, but of its character as a free institution, and as contrasted with pure and absolute monarchy. I look upon that Constitution as having arisen out of the events, which had happened in the world, during the preceding twelve years. When Bonaparte was to be dethroned, the Sovereigns of Europe called up their people to their aid; they invoked them in the sacred names of Freedom and National Independence; the cry went forth throughout Europe: and those, whom Subsidies had no power to buy, and Conscriptions no force to compel, roused by the magic sound of Constitutional Rights, started spontaneously into arms. The long-suffering Nations of Europe rose up as one man, and by an effort tremendous and wide spreading, like a great convulsion of nature, they hurled the conqueror from his throne. But promises made in days of distress, were forgotten in the hour of triumph; and the events of that period furnish an additional proof

> "————— How soon
> Height will recall high thoughts, how soon unsay
> What feigned submission swore; how ease recant
> Vows made in pain, as violent as void."

The rulers of mankind, like the Persian fisherman, had set free a gigantic spirit from its iron prison, but when that spirit had done their bidding, they shrunk back with alarm, from the vastness of that power, which they themselves had set into action, and modestly requested, it would go down again into its former dungeon. Hence, that gloomy discontent, that restless disquiet, that murmuring sullenness, which pervaded Europe after the overthrow of Bonaparte; and which were so unlike that joyful gladness, which might have been looked for, among men, who had just been released from the galling yoke of a foreign and a military tyrant. In 1820 the long brooding fire burst out into open flame; in Germany it was still kept down and smothered, but in Italy, in Spain, and in Portugal, it overpowered every resistance. We all remember that succession of revolutions, which in Portugal marked the struggle for ascendancy between two parties, who fought, the one for the maintenance of abuses by which they lived, under the protection of arbitrary power; the other for the suppression of those abuses, and for security under a constitutional system. In 1820, a revolution established in Portugal the Spanish Constitution of 1812; a crude ill-digested system, unfit for any country, but especially for one just emerging from arbitrary government; but which the Portuguese probably laid hold of, as the first thing that came ready to their hand, and for want of time and capacity to frame any thing better. In 1821 King John returned to Portugal from the Brazils, where he had been since 1807, driven from thence by a revolution, which had broken out there in the beginning of that year; and on his landing at Lisbon he swore allegiance to the new constitution. In 1823 a military revolution, headed by Don Miguel, overthrew the constitution; the insurrection was repressed, and Don Miguel banished, and the popular party again began to shew themselves; and in 1824 Don John, for the purpose of appeasing parties, and gaining time, published an evasive decree, proclaiming that the ancient constitution of Portugal, consisting of three estates, was still in actual vigour. From that time till the death of Don John in 1826, the two parties remained in a state of balanced truce, each of them waiting for events. In the mean time the revolution which had broken out in the Brazils in 1821, had led, by a succession of events, to the separation of the two countries, to the erection of the Brazils into an Independent Empire under Don Pedro, and to the establishment of the representative system of Government, granted by him in 1823. Was it then surprising, that, when in 1826, Don Pedro heard of the death of his father Don John, and found that by this event, and by the separation of the Crowns of Brazil and Portugal, the latter would devolve upon his infant daughter, Donna Maria, he should have thought that the best chance of saving Portugal from further convulsions, and of securing an undisturbed succession to his daughter, lay in establishing in Portugal, not the wild and democratic and impracticable constitution of 1820, but that mixed and modified system of Representative Government, which had produced in the Brazils so much tranquillity and satisfaction. It was this consideration beyond a doubt, and not any advice from England, that led Don Pedro to send to Lisbon, what was nearly a transcript of the Constitution of the Brazils. But the papers now before us prove, that although we were no parties to the original determination, yet those who saw only the outside of things must have considered us, as mixed up with its execution. The Constitution, as is shewn by these papers, was brought over by an Englishman; accidentally and unforeseen, but still so it was. Its adoption in Portugal was brought about by the direct and active interference of an Englishman; acting in his capacity of Portuguese Plenipotentiary I allow, but still it was the interference, active and direct, of an Englishman. England was asked what Portugal should do; and the advice of the English Cabinet, in which, never let it be forgotten, the leading Members of the present Government had seats, the advice of the English Cabinet was, immediate acceptance of the Charter. This was not indeed given as peremptory advice, but submitted as an element of decision, but still such was the public and official advice of the English Cabinet. I know well that the distinction between an English Minister, and a Portuguese Plenipotentiary is not merely technical, but substantial; I know well that there is a real difference, between giving peremptory advice, and submitting advice as an element of decision; but these differences and distinctions were of a nature to escape general observation, and were capable of being easily explained away, by those who had an interest to do so; and we were, therefore, in this respect, clearly in the situation of persons, who are fettered by having excited in others expectations beyond what they themselves fully intended; and who will be judged, not by intentions known only to themselves, but by the interpretation which others may have put upon their conduct. On this first branch of the subject I ask for no other papers; those which we have, though scanty in quantity, are abundantly ample in substance; every one of these eleven pages is full of traces of English interference in the affairs of Portugal. We find an Englishman entering into, what he calls, altercation with Don Pedro about the Constitution of Portugal; we find an Englishman actively engaged in persuading the Portuguese to adopt that Constitution; we find the British Cabinet consulted, and advising the immediate acceptance of the Charter; and we find the abdicating sovereign of Portugal, soliciting, for the arrangements which he had made for the internal affairs of his kingdom, the approbation and support of the King of England. And then we are gravely assured that it is contrary to our principles and practice, ever to interfere in the internal affairs of Portugal. The second portion of these papers gives an account of the transactions which took place at Vienna, in 1827, previous to Don Miguel's departure for England; and it explains the negotiations carried on there, to induce the Infant to bind himself to maintain the Constitution; to forget and forgive all offences against himself, or to speak more correctly, his offences against others; and to give up his Regency to Donna Maria, in conformity with the Charter; and it contains also copies of the conventions, for protocols have the force of conventions, by which Don Miguel bound himself to Austria and England, to perform these engagements. I am unwilling to ask for more papers than are absolutely necessary, and therefore, I rest contented with what we have on this branch of the subject; but I should have liked to know, whether any of the communications from the Cabinet of England to that of Austria, during this period, expressed a strong and earnest anxiety for the maintenance of the Portuguese Constitution; whether the Court of Vienna was plainly told, that the only condition upon which Don Miguel could expect any countenance, or aid, or friendship from England, was his undertaking to govern Portugal by means of the institutions of Don Pedro; and whether his visit to England in his way, or rather out of his way, to Lisbon, was the public sign and symbol of such an engagement on his part. But this is not necessary for my case; such documents, if they exist, would shew indeed the contrast between the feelings of the Cabinet of that day, and those of the Cabinet of this, as far as the latter can be gathered from events; but the despatch from Prince Metternich, and the protocols, are enough for my purpose.—This despatch and those protocols establish beyond the possibility of question, first, the fact of the continued and direct interference of England, in the most important concerns of Portugal; and secondly, the existence of a formal compact between Don Miguel and the King of England, every tittle of which compact Don Miguel has contemptuously violated. The despatch from Prince Metternich to Prince Esterhazy, proves that England and Austria took upon themselves the tutelary task of arranging the affairs of Portugal; Austria in consequence of the relationship between the two royal families, England by virtue of its ancient political connexion with Portugal. This despatch sets out with a reference to a communication made to Prince Metternich, of the principles and wishes of the English Government, as to the then present and future position of the Infant; that is, as explained by the despatch, the wishes and principles of England, as to the conditions on which Don Miguel was to be allowed to leave Vienna, and as to the line of conduct he was to pursue in administering the affairs of Portugal, as Regent, after his arrival at Lisbon. It further recites specifically, certain deliberations to which the English ambassador was a party, and which were held for the purpose of conquering the resistance of Don Miguel to the arrangements proposed to him; and also for the purpose of concerting, without delay, such measures as might be immediately necessary, in order to put an end to a hazardous state of uncertainty in Portugal. But still, I suppose, we shall be told, that England has never interfered in the internal affairs of Portugal. Then come the protocols, and the letters attached to them, and what do these establish? Why Miguel appoints plenipotentiaries to treat in his name with the ambassadors of Austria and England; negotiations follow, in the course of which, it appears that the consent of England was held necessary, even to decide the apparently unimportant question, whether certain letters which Don Miguel was to write, should be signed by him with the title of Lieutenant simply, or with that of Lieutenant and Regent jointly. In consequence of these negotiations, Don Miguel contracts a solemn engagement, to maintain religiously the institutions of Don Pedro, to bury the past in oblivion, and to restrain with firmness the spirit of faction in Portugal; and to this engagement, England becomes a party. Nay, more; to these protocols are annexed, as part and parcel of this formal proceeding, three letters from Don Miguel: one to Don Pedro, to whom he vows obedience; one to the Infanta Isabella, then Regent at Lisbon, through whom he proclaims to Portugal, Amnesty, Constitution, Impartiality; and a third to the king of England, from whom he solicits good-will and support, upon the distinct undertaking, that he will govern Portugal by means of the institutions of Don Pedro. Here then we find Don Miguel entering into a convention with the King of England, by plenipotentiaries authorized on both sides; the purport of which convention is, that he shall administer Portugal according to the Constitution. It has been said, I know, that the English Ambassador attended these conferences, and signed these protocols only as a witness, and not as a party; but there is nothing in these papers, which at all bears out this assertion. If there is any document by which that is proved, that document ought to have been produced. But the very reverse appears from these papers. It is evident from them, that Austria and England held negotiations with Don Miguel, as to the line of conduct which he was to pursue as Regent of Portugal; and that when at last he was brought, and with much difficulty, to accede to their wishes, and agree to certain engagements,—those engagements were formally recorded by the plenipotentiaries of the negotiating parties, in the shape of these conventions. I maintain that the subsequent violation by Don Miguel of these engagements so contracted by him, gave us a right to enforce them if we liked, by whatever means we might think most expedient; and I contend, that the publicity which was unavoidably given to the whole transaction, and by which thousands of Portuguese were led to acts, by which their fortunes and their lives have since been placed in jeopardy, so committed the honour of England, as to leave us nothing to choose, but the means by which this right should be enforced. After this second part of the papers, comes an important gap. These protocols are dated at Vienna, in October 1827, and they are immediately followed by an extract from a despatch from Sir Frederick Lamb, dated at Lisbon, on the 1st of March. Here then, we jump at once over an interval of five months, and transport Don Miguel from Vienna to Lisbon, passing over unnoticed, his intervening residence in England, and every thing that happened while he was here. Will it really be asserted, that his visit to England was merely a progress of pleasure and parade? that we brought him here for no other purpose than to show him how hard it could snow at a review, and how drenchingly it could rain at a stag-hunt? was there no Portuguese business done while he was in England? were there no protocols signed? were there no arrangements made, as to how he was to govern Portugal, when he got there? was nothing settled as to the oaths and engagements, by which he was to bind himself still deeper to the Constitution, on entering upon his office of Regent? and if such things were, why are they not produced? is it for fear of completing that chain of evidence, which would demonstrate the incessant interference of England, in all the transactions connected with Don Miguel's return to Portugal? Why, Sir, there was such a protocol, in January, 1828; for it has appeared in print; and therefore it ought to be laid before Parliament. And what was it about? why it was about a loan of 200,000*l.* which we were to assist in procuring for Don Miguel, to enable him to assume the reins of government; it was about the return of our troops from Portugal, which at the special request of Don Miguel, was agreed to be delayed, so as to enable him to express his wishes on that subject, after his arrival at Lisbon; it was about the separation of the crowns of Portugal and Brazil; it was about the abdication of Don Pedro, which England and Austria again pledged themselves to press; and lastly, it was about a treaty to regulate the order of succession to the throne of Portugal, which England and Austria undertook definitively to settle, and then to communicate for general recognition, to the other powers of the world. Here then is this England, whose principle and practice it is, never to interfere in the internal concerns of Portugal, helping her to a loan, separating her from Brazil, urging her Sovereign to abdicate, and undertaking to settle the order of succession to her throne. For this protocol I intend to move. But was nothing else settled in England? I must infer that something else was settled in England, because I find in these papers, an extract from a despatch from Sir Frederick Lamb of the 1st of March 1828, in which he mentions that he had successfully objected to a form of oath which Don Miguel proposed to take, and which Sir Frederick Lamb declares would have been "a total departure from all that had been settled in England." It is important that we should know what was settled in England, as to Don Miguel's proceedings in Portugal; and therefore I shall move for a statement with reference to this passage in the papers. From this point forwards, these papers become less and less satisfactory; and I must say, without meaning any thing uncivil, that there never was such a mystification practised upon Parliament, under pretence of giving them information, as these twenty pages of the Lisbon correspondence exhibit. They contain indeed a very clear and concise narrative of the successive steps by which, between the 1st of March and the 1st of July, Don Miguel transformed himself from the obedient and oath-taking lieutenant, into the rebellious and perjured usurper. But nearly the whole of this information might equally be found in the columns of private correspondence of the newspapers of the day, and is by this time safely entombed in the pages of the Annual Register. These papers are indeed ingeniously swelled by a copious infusion of Portuguese decrees, and addresses, and dissertations extracted from the Lisbon Gazette, and the Trombeta Final, and circumstantial accounts of military festivities, and loyal speeches from power-loving Bishops, which occupy full one-third of this part of the volume, and which seem put in, to swell the size, or to deter some from attempting to open it, and to bewilder those who do, and lead their attention astray; but which serve, as I can see, to give no useful or important information. But we look in vain for any thing to shew, what, during any part of this period were the sentiments and views of the English Cabinet; we look in vain for any thing to shew, what instructions they had given to our ambassador, when first he set out upon his mission, and what orders they conveyed to him afterwards, in consequence of his report of the doings in Portugal; we look in vain for any thing to shew, what were those earnest and repeated remonstrances, which the Speech from the Throne, in July 1828, informed us, his majesty had been advised to make, "against those measures in Portugal by which the just expectations of his majesty had been disappointed," remonstrances too, which that same Speech informed us, had been utterly disregarded; we look in vain for any thing to show, what steps the advisers of the Crown took, to hold Don Miguel to his engagements with England, and to resent the gross indignity, which they themselves declare, he had put upon our sovereign. Here then I call for further information. We ought first to have a copy of the original instructions given to Sir Frederick Lamb; these are indispensable; they are necessary in order to shew what were the views and intentions of the Government, at the time when Don Miguel sailed from England; we ought next to have copies or extracts of all communications made to Sir Frederick Lamb, after his arrival at Lisbon, expressive of the sentiments of the Government upon Don Miguel's progressive departure from his engagements; and particularly it is fitting that we should have those earnest and repeated remonstrances, which were mentioned in the Speech from the Throne. When it is admitted by the Ministers themselves, that a gross indignity has been offered to the King of England, it is right that Parliament should know the nature and extent of that indignity, and the steps which have been taken by the advisers of the Crown, to assert the honour of the Crown. This is a matter which touches the honour of the country, and any attempt at concealment must necessarily excite a suspicion, that that honour has been imperfectly guarded. These instructions given to our ambassador, and these remonstrances, which he was ordered to make, would of course not be sufficient, without his report of the manner in which he executed those instructions, and of the temper in which those remonstrances were received; and further extracts are therefore necessary from the despatches of Sir Frederick Lamb; for these also, therefore, it is my intention to move. It has been stated, and there can be no doubt of the fact, that the usurpation of Don Miguel was unfortunately much assisted by the presence of the British troops at Lisbon, after his arrival; inasmuch as all possibility of resistance to the first steps of his proceedings, was prevented by the instructions under which our general was acting, to put down disturbances in Lisbon, and to protect the persons of the royal family. These instructions were given under other circumstances, and with far different views; but they became unluckily a powerful engine in the hands of the usurper. For these instructions I propose to move. I cast no blame upon these instructions. I do not censure the delay in removing the troops. To the latter I was myself a party, and however unfortunate its effects, it was ordered for the best, under the circumstances of the moment; but I do say, that as England had in this manner, however unintentionally, given to Don Miguel the powerful aid of her military protection, in the early execution of his revolutionary plans, we were on that account the more bound to have interposed in the after-stages, to compel him to adhere to his engagements. With this extract from the instructions to Sir W. Clinton in December 1826, we ought also to have any communication upon the same subject, which may have been made at the same time, to Sir W. A'Court, our then ambassador at Lisbon. With the Terceira branch of these papers, I shall not at present meddle. A right honourable friend of mine has given notice of a motion specifically upon that subject: I am glad he has done so. That outrage upon the laws of nations, that open and violent departure from all our boasted principles of neutrality and non-interference, is a matter of too much importance to be made an incidental topic in a general discussion, and well deserves the undivided attention of the House. I shall purposely abstain from saying anything at present on that transaction; and I hope honourable Members will reserve their opinions upon it, till my right honourable friend shall bring it distinctly before the House. But among the papers which have been given relative to this affair of Terceira, there is a letter from the Duke of Wellington to Lord Aberdeen, of January 1829, in which the former states, that he incloses to the latter, a correspondence which had passed between himself and the Marquises of Barbacena and Palmella, regarding the arrival in this country, of the Queen, Donna Maria da Gloria; and with this correspondence Parliament ought, I think, to be made acquainted. It is well known, that the King of England, acting of course by the advice of his responsible counsellors, has recognised Donna Maria as lawful Queen of Portugal; and that, during her residence here, she was not veiled in that unpretending incognito, under which other sovereigns *de Jure* have shrouded their misfortunes, while taking refuge in this country, during periods of actual dethronement; but that she was received on all proper occasions, with those honours which are due to an apparent Queen. We have had a hint, not very obscurely given, in the Speech from the Throne, that the time might not be far distant, at which his Majesty might be advised to recognise the usurper of the crown of Donna Maria. It may be useful, and must be instructive, to be able to compare this correspondence, which took place upon her arrival in this country, with the announcement, whenever it may be made, that we have recognised and sanctioned her dethronement. We have been informed in a Speech from the Throne, that negotiations have been undertaken for the purpose of reconciling the Princes of the House of Branganza, or, as I should say, for that of inducing Don Pedro to acquiesce in the usurpation of Don Miguel; and I intend to move for the production of those negotiations. In the Speech from the Throne at the close of the Session of 1828, it was stated, that "his Majesty relied upon the wisdom of the august head of the House of Braganza, to take the course which should be best calculated, to maintain the interests and honour of that illustrious family, and to secure the peace and happiness of the dominions over which it presides." Very sound doctrine this, and perfectly consistent with the principles of non-interference. It informed us that the head of the House of Braganza was the best judge of matters which concerned the interests and honour of his own family, and which affected the peace and happiness of his own dominions. But one could not help thinking that its enunciation at that particular moment, was intended to convey a hint to the sovereign in question. But what happens in February 1829? Why then it comes out, that this reliance upon the wisdom of the head of the House of Braganza, had been neither very firm nor very long lived; and that, with all our reliance upon the wisdom of this august person, we had thought that this wisdom might be much assisted by a little advice from an English ambassador, as to the best means of maintaining the honour and interests of his family, and of securing the peace and happiness of the dominions over which that family reigns: and accordingly an ambassador was sent for that purpose to the Brazils. And the Speech of February 1829 informed us, that "his Majesty, deeply interested in the prosperity of the Portuguese monarchy, had entered into negotiations with the head of the House of Braganza, in the hope of terminating a state of affairs which is incompatible with the permanent tranquillity and welfare of Portugal." Why, Sir, do what we will, and say what we like, there is a fatality, which draws us, like the moth into the candle, to mix ourselves in Portuguese affairs: for the truth is, and no Government can deny it, that the real interests of England are concerned in maintaining the tranquillity, and protecting the welfare of Portugal: and even those very Ministers, who professed to abandon that tranquillity and welfare to their fate, find themselves compelled to step in, though too late and without success, and to make an attempt to restore them. The communication from tha Throne at the end of last Session, implied, that the negotiations which had been announced at the beginning of the Session, were still going on, as it stated "the determination of his Majesty to use every effort to reconcile conflicting interests, and to remove the evils, which still pressed upon Portugal." But the Speech at the opening of this Session, informed us in plain terms, that those negotiations had entirely failed, as it stated that "His Majesty lamented that he was unable to announce the prospect of a reconciliation between the Princes of the House of Braganza." Now, I apprehend it is usual, I am sure it is becoming, that when Parliament has been informed from the Throne, that negotiations have been entered into, and has learnt from the same quarter, that those negotiations have failed, some information should be laid before Parliament, to enable them to judge whether the failure is in any degree imputable to those, who have been the advisers of the Crown in the course of the transaction; and it might have been expected, that, without waiting for a motion upon this subject, the Government should themselves have laid before Parliament the details of this negotiation. But as they have not done so, I shall propose to the House to ask for this information. I am the more induced to do this, because a part of these negotiations has already appeared in print, and I am sorry to say, that what has so appeared, shows, that the Government of England placed these negotiations upon a basis, which has been unequivocally condemned by Parliament; and that they made the immediate marriage of Donna Maria to Don Miguel, if not the *sine quâ non*, at least the fundamental principle of the only arrangement which they were willing to propose. Now, I know perfectly well, that this marriage formed part of the original plan of Don Pedro, in 1827, and was, on that account, encouraged by the English Government at that time; but will any man tell me that this marriage could rest, in 1829, upon the same grounds as in 1827? Could it in fact be called the same marriage? What had happened in the interval? What, as far as this marriage is concerned, had not happened in the interval? One short year only, had indeed elapsed, but upon the records of that one short year, Don Miguel had found

> "Ample room, and verge enough,
> The characters of Hell to trace."

Will any man venture to assert, that if, in 1827, Don Pedro, or Mr. Canning, could have read forward into the Book of Fate, and have foreseen the events of 1828, they would for one instant have entertained the project of such an alliance; and could we have believed, if we had not known it to be certain, that in 1829, with the events of 1828 fresh before their eyes, an English Cabinet could have proposed to a Father and a Sovereign, to consign his infant daughter, with her rival right upon her head, to the care and custody of a man, who had shewn that he dealt with perjury as an amusing exercise of ingenuity; in whom, by their own admission, cowardice makes cruelty an instinct; and who, in yielding to his fears, in glutting his revenge, or in grasping after regal sway, has spared neither infancy nor age, and respected neither sex nor station. Could such a proposition have been made with any other view, but to secure to Don Miguel the fruits of his violence and injustice; and does not this tally with all the rest, and bear out those, who maintain, that throughout the whole of these transactions the Government of England has incessantly laboured to assist and confirm the usurpation of Don Miguel. The basis upon which this negotiation was founded, seems to have consisted of five principal propositions.

1. The immediate marriage of the Queen of Portugal with the Infant, Don Miguel, who should take the title of King.
2. The conclusion of a family compact, of which the Emperor of Austria should be umpire.
3. That in case of the death of the Queen without issue, before Don Miguel, (*quod Dî prius omen in ipsum convertant*) the crown should pass to the royal branch of Portugal; (that is, to Don Miguel.)
4. That in case of the death of the King Regent, the Queen should reign.
5. That no notice should be taken of the changes, which had happened, in the form of Government in Portugal.

There was also a sixth condition of minor importance, that as a preliminary to this arrangement, the Queen should immediately be removed from this country, and placed under the care of the Court of Austria. Upon the project of the marriage, I shall not say another word; but I must remark upon that latter part of the first article, which proposes that Don Miguel should, upon his marriage, assume the title of King, that this would be a direct violation of the laws of Lamego, relative to the succession to the throne; which have for nearly seven hundred years been considered as the fundamental laws of the Portuguese monarchy. The laws of Lamego declare, that a Queen of Portugal shall marry only a Portuguese Noble; but they add, that this Noble shall not assume the title of King, till there has been issue male of the marriage. How then, consistently with that law, could Don Miguel assume the title of King, immediately upon his marriage with a child of nine years old? As to the second article, relating to the family compact, it was perhaps natural, considering the family connexion, that if an umpire were required, the Emperor of Austria should be chosen. But the third article is most remarkable and ominous. I wish to say as little as possible, of those words of evil import, which contemplate the early and premature death of this unhappy child. The ancients, indeed, thought it unlucky distinctly to mention such things, and had a superstitious belief, that deaths too plainly spoken of, were also too likely to happen; but such refinements are unsuited to diplomatic transactions; and truth compels me to confess, that any arrangement, which had for its object, the immediate marriage of Donna Maria to Don Miguel, would have been imperfect in its details, if it had not provided, at least for the possibility, that she might never live to pass the age of childhood. But the latter part of this article abrogates the rights of three members of the House of Braganza, in direct violation of the laws of Lamego. By those laws, the daughters of the King of Portugal, provided they are born in Portugal or its dependencies, succeed to the throne equally with sons, in preference to his brother; unless such daughters should marry a foreigner, and thereby forfeit their right to the throne. Now, Don Pedro has three daughters besides Donna Maria, who were all born in the Brazils, before the final separation of that country from Portugal, and while it was still a dependency of Portugal; and all these three Princesses have therefore, in reversion, precisely the same right to the throne of Portugal, as that, of which we have recognized the validity, in the person of Donna Maria. These reversionary rights could not be affected by the manner in which the reign or the right of Don Pedro came to an end; and they are equally valid, whether we hold with some, that Don Pedro forfeited his right to the crown of Portugal by accepting that of the Brazils, when it was separated from Portugal, and by thus becoming the sovereign of a foreign country; or whether we maintain with others, that his reign over Portugal ceased only by his own act of abdication. For if we take the most unfavourable assumption, and admit, that Don Pedro forfeited his rights to Portugal, from the moment when he became Emperor of separated and independent Brazil, still that forfeiture could only be personal to himself, and prospective to children to be thereafter born to him; but it could not be retrospective in its operation, and it could not extinguish rights, which had been created previously, and which had accrued to his children already born, from the hour of their birth, and which were inherent in them, from the first moment when they began to breathe. But if we take the other view of the case, and consider Don Pedro's right to Portugal to have ceased only by his own abdication, it is clear, that that abdication could only be tantamount to political death, and that instead of extinguishing the rights of those who derived through him, it only tended to bring those rights sooner into operation. Upon either view of this question, therefore, in the event of the death of Donna Maria without issue, the Crown of Portugal would descend to her next sister; and so on to the other two, before it could come to Don Miguel; and consequently this article, by which it was proposed that if Donna Maria should die without issue the Crown should pass to Don Miguel, was a positive violation of the fundamental laws of the Portuguese Monarchy; and set aside, by a stroke of the pen, the birth-right of three members of the House of Braganza, who, by reason of their tender age, could not possibly be consenting parties to the arrangement. The fourth article proposes that, which at first sight appears unnecessary, but which looks as if it was put in for the purpose of implying a doubt of the title of Donna Maria, upon the assumed validity of which title, however, the whole arrangement is founded. For if, as we maintain and admit, Donna Maria reigns by her own inherent birth-right, and if Don Miguel's proposed title of King, was only to accrue to him by reason of his marriage with her, how could his death, although it would put an end to his matrimonial title, bring into question her pre-existing and independent right? and why, therefore, could it be necessary to stipulate, that she should still continue to reign notwithstanding his death; and does not this article seem proposed, for the purpose of implying, that her right was in some way or other dependent upon his? The fifth article requires no comment; it proposes that no notice should be taken of the changes which have happened in the Government of Portugal: and this might naturally have been looked for, in any arrangement proceeding from the quarter from which this was proposed. Such were the terms, which our Government proposed to Don Pedro, as the basis of an arrangement for restoring the tranquillity of Portugal; and it does seem strange, that we, who profess never to interfere in Portuguese affairs, should quietly propose to subvert those laws, which for 700 years, have regulated the order of succession in the Portuguese monarchy, and to cut off the rights of three members of the House of Braganza. But what is stranger still, it appears that when these propositions were declined by Don Pedro, our Government turned round, and declared, that after all it did not much signify, for these were not British propositions. Not British propositions indeed! why then, whose propositions are they? Brazilian propositions they cannot be, because they were made to Brazil, and by Brazil rejected; are they by chance Spanish propositions? do they happen to be Miguelite propositions? and have we been making ourselves the gratuitous Plenipotentiaries of Don Miguel and of Spain, for the purpose of persuading Don Pedro to agree to an arrangement, the effect of which would have been, to establish in Portugal that influence of Spain, which it has always heretofore been the great aim of English policy to exclude? All these circumstances render it absolutely necessary that these negotiations should be laid before Parliament. In the present state of this affair I do not propose to Parliament to pronounce any opinion, I only call for papers. The Government by presenting papers have pleaded to this tribunal; they are therefore bound to furnish us with the necessary elements of judgment. I ask Parliament to pronounce no opinion, because I am very sure, that for the present, there is no intention of recognizing Don Miguel. Events which have happened in the Brazils, determinations which the Emperor is understood to have taken, and circumstances which we hear are about to happen in Terceira, must necessarily induce our Government to pause, and wait the course of events, before they take a step which might prove so embarrassing to them; and, indeed, if the reports, which we hear, are founded in truth, the Government is more likely to be under the necessity of recognizing a Regency at Terceira, in the name of Donna Maria, whose rights, as Queen of Portugal, they have openly acknowledged. Sir, when upon former occasions, I have felt it my duty to bring under the consideration of the House, the foreign policy of his Majesty's Ministers, and to point out, what I think, the false and injurious principles upon which they have acted; my right hon. friends, for want perhaps, of better arguments to assail me with, have endeavoured to put me down with a cry; and one and all have exclaimed to the House, "Listen not to him, for he would involve you in war?" and I dare say I shall hear the same charge repeated this evening, as the readiest way of dealing with a difficult discussion. Sir, I deny the charge, both in argument and in fact. I say that war neither is the object of my wish, nor would have been the consequence of the measures which I would have advised. I maintain that, on the contrary, war is much more likely to result from the system of policy pursued by his Majesty's Government. I am neither mad, nor destitute of ordinary sense; how, then, is it possible, I could wish to plunge my country into unnecessary war? A celebrated writer, who lived in a country where military glory, beyond all other things, dazzles the public mind, has justly observed, that none are really fond of war, but those who are ignorant of its evils. And if there are any in this country whom a love of national glory can blind to the magnitude of the price, by which alone that glory can be purchased, sure I am, that the trophies of that war, which ended at Trafalgar and at Waterloo, might satiate the most ardent imagination, and reconcile it to a century of peace. But peace is best maintained, by a dignified, and above all, by a just behaviour; by shewing that we respect ourselves, and by gaining the respect of others; by neither doing, nor bearing injustice; by neither offering, nor brooking affront; by neither seeking a quarrel, nor inviting insult, by proclaiming that we never will accept one. But above all, the maxim of a great country ought to be, "Be just, and fear not." We should steer a straightforward course, diverted neither by timid apprehension of the strong, nor by the temptation of preying upon the weak: and then, if war should be forced upon us, by the violence and injustice of others, we should be strong in that union which arises from a consciousness of right; and we should carry into battle that cheering encouragement which the sympathy of bystanders inspires. But by pursuing an opposite course, by leaguing with the oppressor, and trampling upon the oppressed; by submitting to wrong from others, and perpetrating wrong ourselves; by making personal and party objects, instead of great principles, the rule of our conduct; we break down and confound all those moral distinctions, in which our strength ought to lie; and we find ourselves at last involved in a labyrinth of complications, out of which there is no escape, except by humiliating concessions, or else by unjust, and therefore disadvantageous war. That this is no visionary picture, recent declarations demonstrate. Ministers themselves have admitted, that the state of this Portuguese question is not what it ought to be; and that because other nations have not chosen to accept from us, our interpretation of what we chose to call their duty, the chances of the preservation of peace are not what they would otherwise have been. Why this is undoubtedly true; and it is impossible to deny, that the course which the Government has pursued with respect to Portugal, may lead to results which may seriously threaten the tranquility of Europe. Changes have taken place in councils beyond the Atlantic; changes may take place in councils on this side the Atlantic; other nations of Europe may not continue to leave the affairs of Portugal, as matter exclusively belonging to England; popular feeling may stimulate other Governments, to give to a rightful Queen and her suffering subjects, the same protection and aid which England is considered as having afforded to a faction and an usurper; and if, in the mean while, we should have committed ourselves by an act of recognition, we may be placed in a situation, in which we should have no alternative, but either to abandon and desert Don Miguel and his friends, as we have already abandoned and deserted the constitutional party, or else to engage in war, for the support of Don Miguel! Speeches which have lately been made from foreign thrones are well deserving of attention. The Speech from our Throne at the beginning of this Session, informed us, that the King of England could announce no prospect of a reconciliation between the Princes of the House of Braganza; another Monarch, in a recent speech to his legislature, says, that he is engaged in concert with his allies, in endeavours to promote the tranquillity of the Peninsula. Besides the difference of action, there is a difference of expression here which is well deserving of attention; our communication has reference to Portugal only, the other to the whole Peninsula; and does not this seem to indicate that the last-mentioned negotiation has reference to Spain also, and is calculated to extend and establish her influence in Portugal. It has been the ancient and invariable policy of England, not only to draw close our connexion with Portugal, but to exclude from Portugal the influence of Spain; but I maintain, that the tendency and effect of the system recently pursued has been, to destroy our influence in Portugal, and to establish there the influence of Spain. The triumph of Don Miguel has been the triumph of Spanish influence; the fruit of usurpation, indeed, has ripened at Lisbon, but the root has drawn its nourishment from Madrid. It might, perhaps, have been thought by some, that the eminent services, civil and military, rendered by us to Don Miguel, might have inspired him with some grateful feelings in return. That our promptitude to recognize his blockades, our vigour to defend his colonies, and our zeal to undertake his negotiations, might have entitled us to the release of a prisoner or two, if we had chosen to content ourselves with such a boon. But I have understood that our Government have vainly endeavoured to obtain from Don Miguel, any relaxation of that system of persecution and oppression, which he has been carrying on towards his subjects. Like the Highlander who, having in battle cut down his opponent, and being asked for quarter, exclaimed, "My dear friend, ask me for any thing else in the world,"—Don Miguel, it is said, would be ready to oblige us by taking up any body we please, but begs that we will not press him about letting any of his prisoners out; and if report does not much mislead us, the Government of England, repulsed and rejected by their ungrateful favourite, have been obliged to become suppliants to Spain, and to intreat the Spanish Government to use its influence with Don Miguel, to prevail upon him to do, what we have been unable to obtain at his hands. It has further been reported, I know not how truly, that the recognition of Don Miguel by Spain, took place either by our advice, or upon previous consultation with us. Now, if all this be true, is it not a proof, that the system pursued by the Government has not only failed in maintaining that influence in Portugal which, in former times, it has been our object to preserve, but has established there that influence of Spain which we have always endeavoured to exclude. But if we have lost our influence in Portugal, how has fared our character in Europe? In 1826, a Sovereign, in alliance with us, gave to his subjects free institutions; and all Europe immediately exclaimed, "This is the advice of England!" In 1829, another Sovereign, in alliance with us, called to his councils an administration, repugnant to the liberal feelings of his subjects, and looked upon by them as hostile to their Constitutional rights; and all Europe immediately exclaimed, "This is the nomination of England!" Mr. Canning, in 1826, disclaimed the boon, and could hardly prevail upon any body to believe him; the present Government, in 1829, denied the infliction, and the world are equally incredulous. In 1826, when rational freedom seemed to dawn upon Portugal, and to hold out a promise of prosperity and happiness, all men fancied they could trace in that auspicious event, the secret working of the beneficent hand of England; in 1829, when a cloud overspread France, and seemed to threaten the subversion of her dearest institutions, all mankind pronounced, that it must be the handiwork of England. Whence has arisen this great and sudden change in public opinion? Why is it, that England, who only three short years ago was hailed as the author of good, should now be branded as the instigator of evil? Why, the reason is, that here, as well as hereafter, men will be judged, not by their professions, but by their deeds. I say, then, that we have shrunk from solemn and public engagements; that we have abandoned to exile, to beggary, to dungeons, and to death, thousands of men, whom a knowledge of those engagements, might justly have led to count upon our protection; that we have lost our influence in Portugal, and have thrown her into the arms of Spain; that we have tarnished our character in Europe, and endangered the permanence of peace; and if any man shall ask me, what has been accomplished, by sacrifices so many, and so great, the only answer I can make to him is, that Constitutional freedom in Portugal has been destroyed. Sir, I will now read to the House what it is that I propose to move for. "That an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House:

1. Extract of so much of the instructions given to Sir W. H. Clinton, on his taking the command of the British Force, sent to Portugal, in December 1826, as relates to the interference of the troops under his command, in suppressing disturbances in Lisbon, and in protecting the persons of the Royal Family of Portugal.
2. Extract of such parts of any communications made to Sir William A'Court, as relate to this interference.
3. Copy of the Protocol of the conference held in London, on the 12th of January 1828,

between the Ministers of England, Austria, and Portugal.

4. Copy of any Document explaining what "had been settled in England," relative to the course to be pursued by Don Miguel on his arrival in Portugal; as referred to by Sir Frederick Lamb, in his despatch of 1st March 1826, (No. 17, of the Papers presented to Parliament in June 1829.)
5. Copy of the Instructions given to Sir Frederick Lamb, on his proceeding to Portugal, as His Majesty's Ambassador, in 1828.
6. Extracts of such further parts of the despatches from Sir Frederick Lamb, as relate to the proceedings in Portugal, in violation of the engagements entered into by Don Miguel, and to the execution of the instructions given to Sir Frederick Lamb, in consequence thereof.
7. Extracts of such parts of any despatches addressed to Sir Frederick Lamb, while in Portugal, as relate to the proceedings in Portugal, in violation of the engagements of Don Miguel, and to the earnest and repeated remonstrances made in consequence thereof, in the name of his Majesty, and mentioned in the Speech from the Throne, on 24th July, 1828.
8. Copy of the instructions given in 1828, to Lord Strangford, on his proceeding to the Brazils, and Copies or Extracts of such parts of all despatches to or from him, and to or from the Marquis of Barbacena, as relate to those negotiations for the settlement of the affairs of Portugal, which were announced in the Speech from the Throne, on the 5th of Feb. 1829.
9. Copies of the Correspondence between the Duke of Wellington, and the Marquises of Barbacena and Palmella, regarding the arrival in this country of the Queen, Donna Maria da Gloria, referred to in the Duke of Wellington's Letter to Lord Aberdeen, Jan. 1829. (No. 37, of the Papers presented to Parliament in June 1829.)

Mr. *Herries*, on the Motion being put, rose and claimed the indulgence of the House while he stated a few objections to the Motion of his noble friend, and a few reasons why the House should not comply with the Motion. He would not pretend to determine the decision of the House, knowing, as he did, that several of his right hon. friends were ready and better able than he was to answer the noble Lord; he would only enforce some points the noble Lord had slurred over, and explain the incorrect view he had taken of others. The noble Lord had already made as serious an attack as he could make if he had all the papers he moved for, and they corresponded entirely to his supposed view of their contents. Though the noble Lord's speech was nominally for the production of certain documents, it really was a censure on the present Administration; and that delivered, too, with the confidence of a belief that the documents would bear him out in his animadversions. The only object, indeed, for which the speech of the noble Lord was made, was to attack the Administration now in existence; but he would beg to remind the noble Lord, that most of the actions complained of were begun under the Administration of which he was a member, and which must share the blame, if blame were due to them, with the present Administration. He could show that the course pursued by the present Ministers in relation to Portugal was the same in principle as that of their predecessors in office. He should first object to the production of papers during the progress of negotiations, which might frustrate the objects of them. The noble Lord did not directly assert that the Government had advised the giving, and had supported the Constitution, but he said that which implied as much. The question for the House to determine was, was the British Government the originator of the Portuguese Constitution, or was it not? His noble friend knew well that the official documents would prove the negative of such a proposition, and therefore he adroitly confined himself to insinuating, that though we were not literally, we were morally bound to guarantee that Constitution. Now he begged leave to explicitly deny that such was the fact, and to state, that neither as originators, nor as suggestors, nor as abettors, was this country bound to maintain that Constitution. Dates, as the noble Lord very well knew, clearly showed that this country had no act nor part in the framing of the Constitution which Don Pedro granted to his Portuguese subjects. Without taking up the time of the House with proving this fact, which was, as his noble friend well knew, indisputable, and on which the whole question virtually rested, he would at once appeal to the very best authority on the subject.—he need perhaps not say, he meant the late Mr. Canning. The speeches of Mr. Canning had been collected and edited with no ordinary care, and might be considered as the correct records of his sentiments, and nothing could be stronger than Mr. Canning's declaration, in his speech of December 12th, 1826, which never could be forgotten by any one who had the good fortune to hear it. That lamented statesman then said, "It has been surmised that this measure, as well as the abdication which it accompanied, was the offspring of our advice. No such thing. Great Britain did not suggest this measure. It is not her duty nor her practice to offer suggestions for the internal regulation of Foreign States." Again Mr. Canning stated—"I am neither the champion nor the critic of the Portuguese Constitution. But it is admitted on all hands to have proceeded from a legitimate source—a consideration which has mainly reconciled continental Europe to its establishment; and to us, as Englishmen, it is recommended by the ready acceptance which it has met with from all orders of the Portuguese people." That was the principle, and that alone, on which Mr. Canning had countenanced the Portuguese Constitution; and that, he contended, had been the guiding rule of the present Government with respect to Portugal. Further on, Mr. Canning continued, "Nothing shall be done by us to enforce the establishment of the Constitution; but we must take care that nothing shall be done by others to prevent it from being fairly carried into effect." And in a still more striking passage, showing that it was only in the event of foreign aggression that we should interfere—"Let us fly, he said, to the aid of Portugal, by whomsoever attacked—because it is our duty to do so; and let us cease that interference where our duty ends." When the time arrived for producing the several official documents relating to our recent transactions with Portugal, it would be seen that no departure had been made from the principles so eloquently asserted by Mr. Canning; but till that time arrived, he thought it but fair that the House should at least refrain from expressing any censure on those transactions. He did not agree, indeed, with the noble Lord, that the time was arrived when these papers could be laid before the House. It was yet too early for the noble Lord to obtain the object he had in view. The noble Lord had argued his case on the strength of a number of documents which were piled on the seat behind him, and from which he made frequent quotations. He did not know what might be the degree of authenticity which those documents possessed, but this he must say, that when called on to produce the papers which might be an answer to them, and which might prove the noble Lord's statements not to be authentic, he would reply, that these documents were in a course of preparation, and that when laid on the Table of the House, they would prove that the noble Lord's arguments were not quite so well founded, and that the imputations which he threw out against the Government could not be so well supported as he would have the House to believe. The noble Lord had alluded often to the question of the propriety of interference. Now, he would not enter into that question at the present moment. He would merely beg the House to observe, that when the papers were laid on the Table, they would show that strict attention had been paid to the principle laid down in the oft-repeated declaration of Mr. Canning, that it was not the feeling of this country to interfere with the internal affairs of Portugal. It seemed, however, to be the object of the noble Lord by this Motion to procure a premature production of a portion of these papers, in order to find a cause of censure on the conduct of the Government. Against this it was the duty of his Majesty's Ministers to guard; and, inasmuch as it appeared to him likely to be prejudicial to the great interests that were at stake, and to throw an impediment in the way of the successful and prosperous conclusion of the negotiations then pending, he felt that the Government, consistently too with what had been the practice on all former occasions, ought not to produce a portion of the documents, nor give the information required, until these negotiations were brought to a termination. Ministers had no personal reluctance to produce those documents; for they knew they would prove their best justification; but they deemed it as yet premature to make a disclosure, which might thwart them in attaining the great object they had in view — the preservation of the British alliance with Portugal. He believed, too, that the production of those papers at this moment would injure the interests of all the parties concerned in the pacification of that country. When produced, which he hoped would be at no distant time, they would prove, that the present Ministry had acted throughout these unpleasant transactions in the full spirit of Mr. Canning's policy of non-interference with the internal concerns of the Portuguese nation, and it was only a just regard for these considerations which induced the Government, on this occasion, to abstain from promulgating a triumphant defence from all the loose and idle accusations that had been levelled against them. His noble friend would, in some of his ingenious surmises, which were wrapped in his usual strain of eloquence, have the House to believe that Ministers had, in the policy which they had adopted, been influenced by, or subservient to, the insidious policy of some foreign power. For this, again, there was not a shadow of foundation: he would give it a positive and peremptory denial, as would be demonstrated when the papers were forthcoming. Indeed, he had expected more from the candour of his noble friend than an insinuation, that the moment the Government lost the co-operation of his support, then, and not till then, they determined to pursue quite an opposite course, and to negative the former policy of which he and they had been previously the advocates. The Government had, throughout the whole course of these transactions with Portugal, looked solely to the maintenance of the honour and dignity of this country. The noble Lord had himself been very lately a party to these transactions; and what, he would ask, did the noble Lord see in the conduct or principles of the Government now, which could justify him in supposing there had been so great a departure from that honourable course of conduct pursued during the time the noble Lord formed a part of the Administration? He could assure him that its principles were as pure and as honourable as during his official life, and that the production of the papers would prove them to have been so. The noble Lord, if he understood him correctly, had blamed the Government for withdrawing the English troops from Portugal, and so allowing the usurpation of Don Miguel: but the noble Lord must know that it was the intention of the Government, in furtherance of their principle of non-interference, to withdraw the troops before even the arrival of Don Miguel at Lisbon. This determination was taken while that Government was in existence of which the noble Lord was a member, and it was carried into execution as soon as Portugal was secure from foreign aggression, in strict conformity with Mr. Canning's principle of non-interference with its internal concerns. He begged the House to remember, that he did not pretend, in the few remarks he had offered, to refute all the noble Lord's vague assertions, but he could not hear so many accusations brought against the Government without replying to some of them. The right hon. Gentleman concluded by asserting that the papers connected with the negotiations would, when produced, prove an ample vindication of the conduct of the Government; but that he was so deeply impressed with the injury to the public service which must result from the premature production of a part of them, that he must give the Motion of the noble Lord a decided negative.

On the Question being put, strange s were ordered to withdraw, but

Lord *John Russell* rose and said, he could not allow the Question to go to a division, although reluctant to detain the House, without stating his reasons for supporting the Motion of the noble Lord, when the Speech from the Throne stated, "that the numerous embarrassments arising from the interruption of our diplomatic relations with Portugal increased his Majesty's desire to effect the termination of the evil;" and when they were told that the recognition of Don Miguel was not far distant, he thought there was no time so proper for the production of the papers connected with the negotiations as the present, in order that the House might be able to judge of the propriety of the course of conduct pursued by his Majesty's Ministers. If the papers were not to be produced now, he did not know when they would be. It was now more than two years since the usurpation took place. It was more than one since a motion of a right hon. Gentleman (Sir J. Mackintosh) obtained a portion of the papers connected with the negotiations which ensued; although it was now contended that to produce any part of the correspondence would be premature and unjust. Premature information was given twelve months ago, but further information was withheld now, because it was not mature enough for production. This was the argument of the right hon. Gentleman. The right hon. Gentleman, feeling himself unable to answer the noble Lord, had shown a discretion much to be commended, by passing over in silence all the most important topics of his speech. He agreed with the right hon. Gentleman, however, that the Government of this country, as a government, did not give the Constitution to Portugal. But it interfered, as it were individually, and the ambassador of this country, Lord

Stuart, had concurred in its propriety, had been instrumental in its transmission from Brazil, and instrumental in persuading Don Pedro to adopt it. Mr. Canning, also, when it arrived, declared distinctly, in one of his despatches to our ambassador at Lisbon, directing him to recommend the Portuguese Regency to put in operation that Constitution, " that any other course than the adoption of the Constitution would be full of danger, not only to the safety of the Crown of Portugal, but the Monarchy of Brazil." This was certainly on the part of Mr. Canning, giving strong advice to the authorities in Portugal, and in considering these transactions, it should always be remembered that Portugal was the weaker power, long accustomed to look to England for support in her struggles and difficulties, and assistance in her times of danger. The right hon. Gentleman said, that while this Government felt bound to protect Portugal from aggression, it had repeatedly declared it would abstain from all interference in her internal concerns Well, then, it was during this non-interference the Constitution was accepted. Yet it was said, that it never was received by the people, and that its overthrow was to be attributed to their want of attachment. Then how came it to be established? How came Don Miguel to send the Duke of Cadaval on a mission to Don Pedro, to compliment him upon his acts, if the Constitution were deemed worthless by those for whom it was intended? But the question, as regarded England, was simply this, — was the Government at liberty to recommend the adoption of this Constitution, considering the relative connection of the two countries; and then to withhold all moral support from the constitutionalists, who stood forth to vindicate the legitimate authority of the throne of Portugal. If any reliance were to be placed upon the faith and honour of national support, these men, he thought, had a claim to it, after the adoption of a Constitution had been recommended by the British Minister. Those persons who are called the friends of that Constitution, and who have suffered grievously for their adherence to it, were not disposed to become parties at any time to a rebellion against the existing Government. They accepted the Constitution because it came to them guaranteed by the credit of England; and they afterwards rose in support of it, because they considered themselves to be supporting a legitimate authority, which would receive the aid and countenance of the English Government. It was cruel to think to what a fate these unhappy persons had been subjected, and to feel that their chains and the dungeons to which they had been dragged, and the scaffolds on which they had perished for their support of the Constitution, were the work of the English Government, and the result of that course of conduct which had proved it so inconsistent with itself. It was asked, bad as the transaction was, what remedy was there but a declaration of war against Don Miguel? His firm belief was, that no such step would have been necessary, but that the firm and prompt language of remonstrance would have availed to save the Portuguese Constitution—sustaining it by inspiring the constitutionalists with confidence in the good faith of England. From that part of his noble friend's speech, in which he spoke of the manner in which Don Miguel had dealt with the Constitution immediately upon his return to Portugal, he unfortunately differed. After that prince left England, his noble friend was one of the Ministers who signed the order for the British troops to remain some time longer in Lisbon. Now, he must say, that had he been a party to these transactions, he should have been averse from leaving these troops in Lisbon after the prince's arrival: had he, however, consented to their so remaining, it would only have been upon condition that instructions should have been given to our Minister at Lisbon, to have kept a steady eye upon the movements of such a person as Don Miguel. Mr. Canning had eloquently said, " That where the British flag waves, foreign dominion shall not come:" he (Lord J. Russell) would have added, to have rendered the position more secure, " Where British influence rests, perfidy, treachery, and disloyalty shall not be allowed to prosper." That would, he confessed, have been his decision, and the British ambassador, supported by British troops, would have controlled and baffled the intrigues and knavery of the profligates of Don Miguel's court. By his remonstrances he would have prevented him from proceeding step by step towards the destruction of the Constitution which he had sworn to defend. The first step of the tyrant plainly evinced what were his intentions; he began by displacing some of the governors of the provinces, and by removing particular colonels from regiments, substituting in their places creatures of his own. Two regiments became, however, exasperated, and refused to submit to this change. Now there was a remarkable anecdote which he could mention, as connected with the treacherous movements of Don Miguel. When thus his views became apparent, some Portuguese officers of rank determined at once to seize him by stratagem, and transport him to his brother, in Brazil. They had completed their arrangements, and the execution of the plot was to have been done without bloodshed: it was thought advisable, however, to impart a knowledge of it to the British Commandant, the consequence of which was the assurance, that the project would, if attempted, be immediately resisted by the English troops, who were bound to protect the persons of the Royal Family of Portugal. Thus was British interposition rendered useless for the protection of the Constitution, but sufficiently effective to maintain Don Miguel until he had completed its overthrow. But here he would call the attention of the House to a book lately published in Paris, which professed to give, in the appendix, important official communications alleged to have passed, during these transactions, between the Marquis of Palmella and the Earl Dudley; and between the Marquis of Barbacena and the Earl of Aberdeen. This book was a sort of manifesto in favour of the rights of Donna Maria, and explanatory of her situation. The Ministers were not to imagine, that because they chose to withhold information, and to garble documents, doling out miserable portions of them as it suited their purpose, that the representatives of other Powers, who were seriously involved in these negotiations, would likewise refrain from publishing more full and fair details. In this book it would be seen, that in a correspondence between the Marquis of Barbacena and the Earl of Aberdeen, some discussion arose about a proposition which was supposed to have been carried to Brazil from the British Government, the object of which was, to induce Don Pedro to consent to the marriage of his daughter with Don Miguel, and then to recognize him as the legitimate possessor of the Portuguese throne. In referring to this correspondence, he could not help remarking how strange it appeared, that in the case of Don Miguel, who had perfidiously violated all his oaths, who had given a grave affront both to the dignity of the Crown of his British Majesty, and likewise to the nation, the first step taken by a Minister of that Sovereign and people should be, not to oppose or disavow the traitor, but send a mission to a distant country to endeavour to carry into effect all the wishes, views, and designs, of this false individual. According to this mission, the crown of Portugal was to be placed on the head of Don Miguel, the only accompanying provision being that he should marry Donna Maria, and have thus placed in his hands the person of the only individual who could be successfully opposed to him as a legitimate rival. It would seem from this correspondence, that there were five propositions submitted by the Earl of Aberdeen to the Marquis of Barbacena, but the Earl of Aberdeen, in his reply, intimates that they were merely suggestions. The Marquis rejoins, that he was glad of it, and begs, that to prevent future mistakes, they may be submitted to him in writing. The five propositions were, 1st, that the Queen should immediately marry Don Miguel, he holding the title of King; 2nd, that a family compact should be concluded under the mediation of the Emperor of Austria; 3rd, that in case of the Queen's death, the crown should pass to the Portuguese branch of the royal family; 4th, that in case the King should die, the Queen should reign; 5th, that no notice should be taken of the changes in the government. Lord Aberdeen then stated, "That it is indispensable for her most faithful Majesty the Queen Donna Maria to continue her journey to Vienna, as at first intended by her father." Why this should have been held indispensable he confessed himself at a loss to comprehend; unless perhaps Ministers thought that, because Don Miguel had taken a journey to Vienna, and had come from thence to take his seat upon the throne of Lisbon, and afterwards succeeded in his usurpation, the young Queen might, from the same jaunt have equal luck in ejecting the intruder: or whether it was, that as the air of Vienna had impregnated Don Miguel with good sound principles of loyalty, there was an equal chance of the same success with the young Princess, and thereby some security that she would be weaned from any violent propensity towards new opinions. Which, or whether either of these causes had influenced the British Ministers, he could not say, but it was due to Lord Aberdeen to add, that with the proposed recognition of the sovereignty of Don Miguel was to be a recommendation of a political amnesty, as an essential preliminary to the pacification of Portugal. Now, it was singular enough, that the visit of the young Queen to Vienna was to be an indispensable requisition, while the amnesty was to be a mere recommendation. The utter hopelessness, however, of any amnesty which could flow from a source so foul as that, to use the words of the noble Secretary of State, of "a false, perfidious, cruel, and cowardly prince," must be apparent, unless it were supported by something more than a recommendation, and made as indispensable as the young Queen's going to Vienna. He must state his admiration of the answers of the Marquis of Barbacena, who, when required to surrender his master's daughter into the hands of Don Miguel, said he would concur in any measures calculated to place Donna Maria on the throne of Portugal; but that the principles of good faith and of paternal tenderness which marked the character of the Emperor Don Pedro, would never permit him to marry his daughter to the usurper of her crown—a sentiment which, the Marquis said, he was sure his Britannic Majesty would participate in: which, however, the sequel proved that the King's Ministers did not adopt; and in this he rejoiced they had been defeated. He rejoiced that among the other vicissitudes which had befallen the young Queen, she had not been consigned to the palace of the usurper; that she had escaped the last calamity of being the companion of his bed,—

Nec victoris heri tetigit captiva cubile!

He rejoiced at that escape, he rejoiced that Miguel had not another crime to answer for in his conduct to his niece; and if she had not this additional suffering, he had not to answer for that other crime; it was not to be attributed to any sense of honour, good feeling, or policy, displayed by the members of his Majesty's Government. He lamented to say that a noble Lord was the minister to whom the negotiation at Brazil, for the attainment of these objects, was specially intrusted. In referring to all these transactions he was compelled to say that they tended to lower the high tone and liberal policy of this country, to suit the feebler policy of arbitrary states, and to weaken and disfavour the growth of popular rights. He thought that other powers of Europe, instead of withholding approbation from the conduct of the unfortunate Portuguese, who had been driven from their country, and had not found a very hospitable shelter amongst us, would wish them success, and give them rather support; for theirs was the cause of loyalty, of freedom, and of justice.

Mr. *Calcraft* was not surprised at the natural indignation which had been expressed by the noble Lord against the perfidy and treachery which had placed Portugal in its present situation. But Ministers, whose duty it was to consult the honour and true interests of the country, must not allow themselves to be induced to swerve from the direct path of their duty by any considerations having reference to the personal character of the princes with whom they had to treat. His object in rising, was to refute the imputation that the subversion of the Portugese Constitution had been occasioned by the influence of those Ministers. Any other line of policy than that which they had followed, particularly the line of policy so warmly, he might say passionately, recommended by the noble Lord and his friends, would be immediately followed by war; and war without any adequate reason, which, in their cooler moments, the noble Lord and his friends would condemn. Nothing else could be the result of the present Motion, and of the manner in which it had been brought forward; nothing else could be the result of calling on statesmen to act with a view to the personal character of Sovereigns, than war. War! war! interminable war, without any adequate motive, or any justification, either of interest, or of honour. He recollected that several of his hon. friends, whom he saw sitting on the other side of the House, had deprecated the interference in foreign affairs which had led to the late wars, and been the cause of imposing great burthens on the country; and he hoped they would pause, and not suffer themselves to be carried away by indignation against the personal character of a prince. Whatever indignation, therefore, they might feel at the past conduct of the prince who had seated himself on the Portuguese throne, which became them admirably as men of honour and humanity, but which ill became statesmen; whatever might be their feelings now, he called on them, recollecting their former opinions, to pause in their design of hurrying his Majesty's Government into a course which could only lead to an aggravation of the acts they had formerly so loudly deplored. As to the question of interference in the affairs of foreign countries, they who had lived as long in the world as he had done, knew the evils of such interference. There was no one thing which Mr. Canning more distinctly disclaimed, on the occasion of sending the troops to Portugal, than the right of this country to interfere in the internal affairs of any other. He completely concurred in the principles of Mr. Canning on that point. Those troops were intended to resist foreign aggression, not to take part in domestic strife. In Mr. Canning's principles on this point, he fully concurred, and if he wanted any proof of that statesman's determination strictly to abide by those principles, he should find it in his conduct towards Sir Charles Stuart. That ambassador exposed himself to many imputations for making himself the bearer of the Constitution. And what was Mr. Canning's conduct. Why he instantly disclaimed any part in Sir Charles Stuart's proceedings; and would not interfere to take the least share of the responsibility. He called, then, upon all the admirers of Mr. Canning, who disclaimed all interference in the internal affairs of Portugal, a policy in which he repeated he concurred, to resist the policy recommended by the noble Lord, which was that of interference. The question at issue between the Government and the noble Lord was, "has the Government done its duty," and to ascertain this, the noble Lord wished for further information. That wish had been replied to by his right hon. friend, who had said, that when the pending negotiations were at an end, the information should be furnished; but that any communication at the present moment would probably interfere with the negotiations in progress. Such an answer would probably satisfy the House. To persist in a motion for papers after such an answer, betrayed a determined mistrust in his Majesty's Government. Should the House be of the same opinion, it must at once say that the Government was unfit to conduct the business of the country. That some documents were furnished last year seemed to him no argument to shew that more ought now to be furnished, when it was distinctly stated, that doing so would interfere with pending negotiations. He could not perceive any ground for the mistrust expressed by the noble Lord, except that he was no longer a member of the Government. In fact, its policy towards Portugal had not varied from that adopted by the Government of which the noble Lord was a member. No fact had been stated by the noble Lord to show that anything short of actual hostility on the part of his Majesty's Government could have prevented what had taken place in Portugal. Unless the perfidy of Don Miguel towards Portugal were to be considered, therefore, a sufficient cause for war unless a different course, likely to bring matters to a pacific and satisfactory conclusion, could be pointed out to his Majesty's Government from that which they had adopted, then it must be admitted to be the safest and the wisest. It had been said, that if Mr. Canning were living, he would have protected the lives and property of the unfortunate Portuguese refugees; but unless his sentiments had materially changed, Mr. Canning would have abstained from the interference recommended by the noble Lord. He would have exerted the energies of his great mind to mitigate the sufferings of these people; but he would not have plunged his country into the calamities of war. Every thing short of that had been done by the present Government. Negotiations had been entered into, remonstrances had not been spared, moderation had been recommended, humanity had been enforced, and unless the country were to make war for the support of the Portuguese Constitution, it was not in the power of the Government to do more. It had also been said, that we ought to behave like good neighbours to Portugal. True; but that behaviour consisted in doing good offices to a neighbour, and not in interfering in his domestic matters. It had been said, that neither wit nor talents could compensate for want of prudence; and if the Government were to be compared to a private man, he was sure that for him no maxim was more applicable than that he should not interfere with his neighbour's family quarrels. His right hon. friend had, however, so completely answered all the noble Lord's arguments, that he felt it to be quite unnecessary to trespass any further on the attention of the House.

Lord *Morpeth* said, he was of opinion, that his noble friend had completely established his case, and a painful case it appeared to him to be. Enough had been proved to justify his noble friend in deploring the fallen credit of this country, and arraigning the conduct which had been pursued by her Government. The conduct of England had been such as at first to give hopes to the liberal party in Portugal of support; but that afterwards it had contributed to crush their cause. By this conduct, England had lost one party in Portugal which had always been attached to her without gaining the affections of any other. It had been asked, what were the Government to do? But he would tell them what it ought not to have done. It ought not to have permitted the correspondence of Lord Beresford, boasting of the friendship of his party for Don Miguel; it ought not to have acknowledged with breathless haste, the blockade of Oporto; it ought not to have allowed the occupation of Portugal by our army to appear as the proximate cause of the downfall of the Portuguese Constitution. The right hon. Member for Wareham deprecated any interference in domestic affairs; but how could we interfere more effectually in the domestic affairs of any man than by recommending him a wife? The right hon. Gentleman also talked of the evils of war. Thrice he repeated the words *bella, horrida bella!* He always rejoiced to hear the invaluable, and he feared in the present state of the country, the necessary word, peace; but, as a right hon. Gentleman had observed in the discussion on the Navy Estimates, the best way to avert war was to show a readiness for it if required. In his opinion, however, the policy which our Government had pursued was most calculated to lead us into war. In the speech, indeed, to which he had just referred, there seemed to him to lurk some dark forebodings of a state of hostility. It would be a most lamentable circumstance, he thought, if the conduct of England with respect to Portugal should lead to war. Without noticing the effect it would have on the internal prosperity of this country, he would look at the position in which we stood with respect to the continent of Europe. In that continent there might be said to exist two chief powers, the military power of Russia, and the power of the liberal party of France. Both these powers were once disposed to admit the ascendancy of England; but we had contrived to irritate and offend Russia; what effect our conduct had had in France, it was likely we should learn in a few days. He hoped the noble Lord would press his Motion to a division: and if so, he should certainly give his vote in favour of it, in consideration of the justice of his reasoning, and the righteousness of his cause.

Colonel *Beresford* said, that his noble relation had shown the correspondence to which the noble Lord referred to the noble Duke at the head of his Majesty's Government, who had expressed it as his opinion, that that correspondence was not calculated to compromise his Majesty's Government.

Mr. *E. Davenport* said, he gave his cordial thanks to the noble Lord who had introduced the subject to the House, and he congratulated those who had preceded him in the debate on the manly stand, they seemed disposed to make against our disgraceful conduct towards Portugal. Two years ago, when he brought forward a motion on the subject, the House appeared to look with perfect apathy at the matter, though he believed that there was scarcely a period of our history, in which such an appeal as that which had been made continually to the honour and humanity of Englishmen, by the unhappy Portuguese, during the last two years, would have been made in vain. At that time, however, the watchfulness of Parliament over foreign affairs, had gone to sleep. It was first wholly occupied by the Finance Committee, and afterwards by the Catholic Question. If Ministers had taken care of our internal interest, which certainly the present state of the country did not prove, they had been unmindful of the national honour abroad. It was quite evident at that time, that a despotism, founded on treachery and perjury, was to be established in Portugal, under the connivance, if not by the assistance, of England. England, he believed, assisted in establishing that despotism. She had got enshrined in her foreign office the spirit of Metternich, and she had become the willing instrument of tyranny. She had aided that despotism by the withdrawal of the British troops just at the time when they might have done some good, and compensated for the evil they had been the means of effecting, by the unconditional surrender to Don Miguel of those fortresses which were the keys of the Tagus, and by a peer and privy councillor having corresponded with the friends of the usurper. Another great error was, promoting the author of this correspondence, instead of dismissing him entirely from office. It was to such men as Lord Beresford and Lord Aberdeen that the honour of this country was now confided. The troops had been withdrawn, according to the latter, because it was time; but, why were they not withdrawn before Miguel was secure in his usurpation? The forts had been given up, it was said, because we had no right to retain them; but, for what purpose, or by what right did we ever occupy them? If we had a right to go to Portugal at all, we had a right to keep our troops there, and garrison the forts till the purpose for which we went was completed. That purpose was the security of Portugal, which was not yet accomplished. The noble Lord at the head of Foreign Affairs, seemed to like tyrants; he had favoured them by paper blockades; he seemed disposed to recognise one. The celebrated negotiator who could not pronounce the name of Buonaparte hastily ran to bow himself before the throne of a royal usurper. But it was said that any interference on our part would lead to a war. He denied that such would be the case; but even if such a crisis should arrive, the apprehension of it should not prevent us from interfering on the side of liberty and justice. But with whom, he would ask, were we to go to war—with the wretched Government of Lisbon? Two brigades would, he believed, be amply sufficient to settle all disputes with it. Had we kept our troops in that country, at an expense of a few thousand pounds, till the will of Don Pedro had been known, we should have conferred on Portugal the lasting benefit of a free Constitution, and ensured the peace of Europe. The foreign policy of this country was at present disgraceful to its character. And he called on the Members of that side of the House, to vindicate the national honour in the face of Europe. He hoped, indeed he was certain, that notwithstanding the distressed state of the country, it was not so fallen and so poverty-stricken as not to be able to sustain our honour and our character amongst foreign nations. We had been the champions of freedom in every clime, and now we had become, under the guidance of those men who had assented to the occupation of Naples and, Piedmont, and Spain, the ready abettors of tyranny and oppression. The Ministers, indeed, seemed to think that free institutions on the continent were a nuisance, like the smoke of a steam-engine, or the effluvia of a gas-work, which every despotic power was bound to abate. But though that were the opinion of Ministers, it was not the opinion of the country. It was not yet in love with the cold, and formal, and blighting tyranny of Austria, or the ruthless and destroying virulence of Don Miguel. The country would not consent to acknowledge that usurper, however much the Ministers might recommend him, and he was sure that Ministers did not possess sufficient courage to fix such an indelible disgrace on our national honour, as, in spite of the country, to recognize that despotic tyrant.

Sir *F. Burdett*, after complimenting the noble Viscount upon the eloquent and argumentative manner in which he had introduced this Motion to the House, proceeded to say that he felt that this was a subject in which the character of this country was at stake, and for that reason he wished, as an Englishman deeply concerned for the national honour of his country, to declare his opinions upon the question. As yet, indeed, no answer had been given, nor even an attempt at answer had been made to the able speech with which the question had been introduced. It was not, therefore, necessary to offer any of his sentiments to the House, nor did he mean to do so with any view to make that clearer which was already as clear as the noon-day, but only to make known his own opinions. The national character of this country, he knew from experience, was at present at a very low estimate amongst the people on the continent of Europe, and that was entirely attributable to the foreign policy which had been latterly pursued by our Government. The Motion of the noble Lord, if acceded to, was calculated in some degree to raise our character amongst foreign nations, and to prove in the face of Europe that the House of Commons at least was not indifferent to the national honour. All the most important portions of the documents bearing upon this question were still withheld by Government, and it was absolutely necessary that those which were called for by the noble Lord should be laid before the House, before it could possibly pronounce any opinion as to the transactions to which those documents had reference. It was absolutely necessary, he would repeat, that all those papers should be laid before the House. The right hon. Gentleman, the Master of the Mint, who had attempted to answer the able speech of the noble Lord had offered a most flimsy pretence for refusing to give those documents and the information which the noble Lord required. The right hon. Gentleman, said, that that would be interfering with pending negotiations. Why, a mere reference to the dates of those papers would show that there was not one of them, or at most, not above one of them, the production of which could possibly interfere with any pending negotiations. In the result of those negotiations the character of this country was deeply involved: it was plain that Ministers were not very chary as to the maintenance of that character; indeed, it was impossible to confide in them in that respect, after what had already occurred; and under such circumstances he conceived that the House ought to insist upon the production of every species of information with regard to the manner in which those negotiations had been conducted. It used to be the characteristic policy of England throughout Europe to aid the cause of liberty and independence—to cherish the feelings of patriotism and love of freedom, to restrain the strong, to assist the weak, to resist the encroachments of despotism, and to afford a refuge to the destitute and oppressed. But the present character of her system of foreign policy was quite the reverse. Although Don Miguel was stigmatized equally by friend and foe, the House could not tell how far he deserved such abuse, unless the papers were produced, and he did not know but the time would soon come when many persons would call him a much calumniated person. He was far from knowing that such language might not speedily be used in reference to Don Miguel by his best friend, Lord Aberdeen, who had lately and justly depicted him to the people of Europe, as "cruel, base, cowardly, false, and treacherous." He did not know how far such language could be reconciled by that noble Lord with the line of policy he recommends, he did not know that Don Miguel deserved the application of such terms, to the noble Lord, he was sure that person might well say—

—nam si ego dignus hâc contumelia
Sum maxume, at tu indignus qui faceres tamen.

He was of opinion that the whole of these transactions should be fully detailed to the House and the country. He would like to know how and why Don Miguel was first brought hither, and afterwards confirmed by England in the possession of power in Portugal; how it was that, when there, he acted a part so different from that which he had promised, and we had sanctioned, to which he had bound himself, when here, to perform; and for the performance of which this country was in some measure a guarantee; he should like to know why his conduct, which was a disgrace and insult to the Crown of this country, had not been indignantly chastized? He was convinced that, but for the death of Mr. Canning, Don Miguel would never have played such a part; he would not have dared to falsify his engagements with this country for fear of well-merited punishment. He would have known, if Mr. Canning were living, that he could not enact such a part with impunity, and he would not have had the countenance or supposed good understanding of the English Government to support him in his doings in Portugal. To what extent or amount that countenance went, and how far it was maintained by the correspondence of Lord Beresford, it was not possible to say, unless the House had the whole of the documents before it. If a different line of policy, if the policy of Mr. Canning had been pursued in reference to Portugal, it would have prevented all those difficulties in which we now found ourselves placed. He should say nothing as to the propriety of removing Don Miguel from custody at Vienna, nor should he say whether it devolved upon an English ambassador to return from Brazil with a Constitution in his pocket for Portugal; but he was sure that Mr. Canning, when he found that Don Pedro was determined to give a Constitution to Portugal, was convinced of the necessity of some interference;

and he thought it wise and prudent to give our support to the establishment of that Constitution, in order to secure the good will of the party there attached to liberty and England. Mr. Canning, at the time, very properly thought, that if the Constitution were established with the aid of England, the gratitude of the party attached to it, for our exertions, would render the connection between the two countries still more intimate and advantageous. By the countenance then afforded to the constitutionalists, we induced them to come forward and risk their lives and fortunes in support of the Constitution; and by the policy which we had since adopted, we delivered them up to be massacred by Don Miguel, or punished and degraded in any way that his malice and cruelty could devise. We abandoned them to be sacrificed in their own country, or to be driven out of it; and what was the species of refuge we afforded them? Upon that point, however, following the example of the noble Lord, he would not dwell, as the right hon. Gentleman opposite (Mr. C. Grant) was pledged to bring all the transactions relating to Terceira before the House. He would only say, that one mind appeared to pervade all these transactions. But it was asked, why suspect the conduct of England in these transactions? Why suspect it—who could doubt it?

Who finds the heifer dead, and bleeding fresh,
And sees, fast by, a butcher with an axe,
But will suspect 'twas he that made the slaughter?

If there were not grounds for suspicion, why not let us know every thing relating to these transactions? "Peace, peace," was now the word. He trusted that this country was not so fallen in condition and in energy as to be afraid of war. The Minister who would declare that this country durst not go to war did not show any respect for the honour and character of the country which were here so deeply concerned; and if the mere word "war" were to silence all argument, suppress all inquiries, and frighten the House and the country, then must he say that the nation was undone. Though greatly distressed at present, not indeed in comparison to other countries, but compared to herself—to what she had been, and to what she might be but for bad legislation—yet he had no hesitation to give it as his opinion, that in spite of all depressions and distresses, the country was as capable of maintaining its honour as it ever had been. When he heard English Gentlemen get up in that House, and state that the country was in such a condition that she must avoid war at the expense of honour and character, he could only say, that if such were the state of England, the Ministers who had reduced her to it deserved that their heads should be brought to the block. A great man, whose memory he respected and admired, and than whom no man could be a greater enemy to war—he meant the late Mr. Fox—had well said, that the cases in which war might be disputable, were those which included a war for aggrandizement, which was dishonest; a war of ambition, which was indefensible; and a war of interest, which was disgraceful; but he added, that whenever our honour was concerned, we should be always ready to stand forward in its defence, and that unless we did so, we should be no longer fit to hold, and we could not keep, our station in the eyes of the world. Was a dread of war to induce us to recognize that despot Don Miguel—

Monstrum nulla virtute redemptum?

Was it come to this, that the least resistance being exhibited on his part, we should submit at once, and all because, as the right hon. Gentleman opposite (Mr. Calcraft) had asserted, that we were unable to go to war? That was the surest way to involve us in war; and if we were not prepared at all times for war, we could have nothing but a disgraceful, miserable, and unprofitable peace. He could not, however, believe that we were unable to go to war, after what had been said by the noble Duke at the head of the Government in another place. Indeed, the present Administration seemed to be composed of Ministers who, like the fabled monster with two mouths, spoke one way in one place, and another way in another place. The noble Duke said the country was never more ready for war; the right hon. Gentleman opposite said war was impossible. Peace was his word. England, it appeared, no longer dared to raise her standard of glory aloft before the world, and to bear her streamers against the driving thunder-storm, and all the winds of heaven; no, she must yield to every wind that blows, and even to the blast of Don Miguel; and must be content to put her honour in her pocket, because the Minister declares that she could not go to war. Mr. Canning was not the man who would have adopted such policy, or could have brought this country to such a pass. If we are not able to go to war, why, in the name of common sense, should we retain our present immense military establishments?—why not at once

——— Doff the lion's hide
And hang a calfskin on those recreant limbs?

If the heart was gone—and in truth the head seemed not able to direct the heart or hands to any noble enterprise—if that were the case, the sooner we got rid of our enormous establishments the better. If the Government were to be abject let it also be frugal. If it were afraid to wield its weapons, let it then lay them aside, nor call on the country to pay for extravagant armour that seemed to crush its wearer. The right hon. Gentleman had argued the question as one of pounds, shillings, and pence. If that were the proper view of it, what did we want with ambassadors? and why keep up an army of soldiers and diplomatists? If we were only to mind our own shop, and not have any thing to do with the affairs of our neighbours, we should at least get a chance of saving our money. He was sure that the people of this country would support Ministers in any wise course of measures for the support of the national honour, and he should be sorry if our timidity should lead to stamp eternal infamy on England, which it would do if Don Miguel were to be acknowledged King of Portugal. He trusted that the papers required by the Motion would be produced, and the noble Lord had made out such a case that he did not see how they could be refused; and he trusted that the noble Lord who had done his country so much honour by his exertions upon this subject, would again bring it under the consideration of the House, with a view to calling for some specific resolution, that should serve to redeem the honour of the country, to wipe off from England the curses that were then heaped on her, throughout the Continent, and restore her to that high and estimable situation she formerly enjoyed, in the eyes of all Europe. The noble Lord had made out a complete case for the production of these papers, and he did not see how they could be refused.

Mr. *Calcraft* explained. He never meant to say, according to the extravagant misrepresentation of the Member for Westminster, that this country was not able to go to war. He never conceived a doubt on that point, if there were good grounds and a just cause for going to war, but he contended, and would still contend, that no such grounds existed here.

Mr. Secretary *Peel* said, that in rising upon this occasion, he felt it necessary to ask for more than the usual indulgent consideration of the House. He could not but regret that it had been deemed advisable by the noble Lord, no doubt for good reasons, though he could not divine their nature, to submit a motion of this important description to the House, upon a day which was usually devoted to relaxation, and upon which there was a distinct arrangement and understanding among men of all parties that no public business whatever of any consequence should ever be brought forward. His own time had been so much and so incessantly occupied, in consequence of the lateness of the debates during the last two days, that he really conceived he had some claim upon the noble Lord's forbearance, and that he had some right to expect that such a motion as this should not have been brought forward upon this day, which was a sort of parliamentary *dies non.* He had been detained in the House, by public business, till four o'clock the preceding morning. He was afterwards obliged to devote a considerable portion of the day to the transaction of public business connected with the office over which he presided, and which could not be postponed: and he felt, therefore, that he entered under great personal disadvantages upon the discussion of this question. While his noble friend who brought forward the Motion had an opportunity to select his points of attack, he had not considered it necessary to communicate previously to Government, and he therefore was called upon, on the part of Government, to enter upon an explanation of transactions that were spread over a wide extent of surface, which embraced a considerable period of time, and which did not particularly relate to the peculiar department over which he presided. He mentioned these circumstances, in order that the House might make due allowance, should he fail in giving satisfactory answers to all the accusations of his noble friend, though he trusted, notwithstanding the disadvantages under which he laboured, that he should be able distinctly to refute all his insinuations and charges. In doing so, however, he hoped also that allowance would be made for the peculiar situation in which he was placed, owing to his inability to refer publicly, at present, to the documents and particular facts of the case, which would furnish a complete refutation of the noble Lord's charges, And here he could not avoid declaring, that in the whole course of his public life he had never found his private feelings clash so much with those public considerations from which he could not, consistently with his views of the public interest, depart, on this occasion. If he could refer to all the papers connected with those transactions, they would furnish a most triumphant answer to the charges of his noble friend: they would afford a full explanation of the whole case, and they would show why his noble friend had selected some of those transactions for animadversion, and why he had prudently abstained from referring to others. He was confident that even without those documents, he should be able satisfactorily to vindicate the conduct of his Majesty's Government, and of the course which, as a Minister of the Crown, he thought it most proper to advise in reference to the interests of that country, with the administration of the affairs of which he was charged. The hon. Baronet, the Member for Westminster, had made a speech which could easily be made, and it would be very easy for any man to make, if it were only conceded to him that he had the right to make, not only his own speech, but the speech of his opponent to which he meant to reply. It was easy to make charges against his Majesty's Ministers, and then call upon them to answer them, when the expressions to which they had reference were never used by them. His right hon. friend, the Pay-master of the Forces, had however sufficiently answered for himself. When, he would ask, did the hon. Baronet hear from that side of the House that the country was unable to sustain the charges of a war? What Gentleman upon the Ministerial Benches had ever said that the country ought to submit to dishonour, or to put up with degradation, or abandon its interests, from an apprehension of war, or from a consciousness that she was not in a condition to bear its expenses? But the hon. Baronet had assumed this to be the language of Ministers; and this assumption made, he proceeded to argue in its refutation. He conceived that of all the just causes of war, the vindication of the honour of a country was that which was most just. He could conceive few cases in which mere considerations of interest could justify a country for involving itself in war. He concurred most cordially with the doctrine of Mr. Fox, that the best vindication which a country could plead for embarking in war was, that it was necessary to the vindication of the national honour; but making a concession of all these points to the hon. Baronet, he still thought that it was matter for legitimate inquiry, whether, when we were invited to enter into a war, there was any engagement, expressed or implied, made by the country; any formal or moral obligation; any consideration of interest which required it to involve itself in that war, or to hold that menacing language, which, if it were disregarded, left us no alternative but to follow it up by the commencement of war. He did not expect that either his noble friend or the hon. Baronet would conceive him to be arguing the question unfairly, if, after making these admissions, he proceeded to contend that it was our interest not to involve ourselves in war, except for some great and paramount consideration. He thought that his noble friend would not consider him as stating his argument unfairly, when he assumed it to be this:—that his noble friend was of opinion, first, that there were certain engagements in existence which compelled this country to pursue a different course from that which it actually had pursued. His noble friend did not state himself to be an advocate for war, but without being guilty of any unfairness, he must say that his arguments led to the conclusion that we must have war. If war were necessary, let us have it; but if it were not necessary, let us not conjure up such a phantom to deter men from following the dictates of reason. His noble friend, he repeated, did not demand that we should go to war; he was of opinion that we ought to have done something different, though he did not state what that something different should have been; he said, indeed, that we ought to have assumed a different tone in the language which we addressed to the Government of Portugal, and enforced certain rights which we possessed by treaty, and which we had failed to enforce. His noble friend had likewise said, for he had taken down his words. "That we have shrunk from solemn and public engagements, that we have abandoned to exile, to beggary, to dungeons, and to death, thousands of men, whom a knowledge of those engagements might justly have led to count upon our protection." Now, if he were not much mistaken, he should be able to show, that if we had basely shrunk from our engagements, his Majesty's present advisers were not the only persons who ought to bear the disgrace of such misconduct,—that if we had failed to enforce our claims on Don Miguel, the noble Lord and his friends were equally implicated in such failure; for the period when the execution of such engagements, if such engagements there were, could have been most effectually compelled was when his noble friend himself held office under the Crown, and at that time he had never heard from his noble friend any of those remonstrances which he had made so vehemently that night. He would admit to his noble friend, that even supposing that there were no express engagements, there might be moral obligations on the country which ought to have the same force. He would, in the course of his speech, consider that question fully, and would inquire whether there were any engagements, expressed or implied, requiring our interference with the government of Portugal, or whether there were any moral obligation possessing the force of a formal contract. He must here stop to vindicate the memory of his late right hon. friend, Mr. Canning, from the imputations which had been thrown on it that night, if the assertions of the hon. Baronet opposite were well founded. He must contend that the whole of Mr. Canning's language in that House, and the whole of his written communications with foreign ministers, which were on record, contradicted the assertion, that there was any thing either in the mode in which the Portuguese charter was granted, or in the mode in which it was conveyed to Lisbon, imposing any obligation upon England to maintain it in full and undiminished integrity. If our troops were, as it was contended, sent to Portugal to interfere with the internal institutions of that country—

Sir *F. Burdett* intimated that he had not said so.

Mr. *Peel* understood the noble Lord and the hon. Baronet to have both said, that the circumstances under which the Charter had been carried to Portugal excited expectations there which we were bound to realize. If that were so, how was it to be reconciled with the language held by Mr. Canning? Mr. Canning had not disapproved of Sir Charles Stuart's conduct in bringing the Charter from the Brazils to Portugal; as to the granting of that Charter, England could not be responsible, and he would therefore leave it out of consideration; but because Mr. Canning had not disapproved of Sir C. Stuart's conduct, his noble friend argued that expectations were raised in Portugal which we were bound in honour to fulfil. Now that was not the view taken by Mr. Canning of the consequences which were likely to arise from the Charter's having been conveyed to Lisbon by a Portuguese agent, who happened to be a British subject. The directions which Mr. Canning sent to Sir C. Stuart were, that he having left the Charter at Lisbon with the parties who were commissioned to receive it, should return immediately home to prevent any such impression from being made, either upon the Portuguese people, or upon other nations. That was evident from the language of Mr. Canning's despatch to Sir W. A'Court. On the 22nd of July, 1826, he wrote thus to Sir W. A'Court: "It is the anxious wish of his Majesty's Government, that nothing may have been done by Sir Charles Stuart, whether under the commission of the Emperor Don Pedro, or at the solicitation of the Portuguese authorities, which can be liable, either in Portugal, or throughout Europe, to be misconstrued as an authoritative interference in the internal concerns of Portugal. Should any thing of that sort unluckily have occurred, his Majesty's Government relies confidently on your Excellency for doing away the impression which it would be calculated to create, by a discreet use of the explanations and declarations contained in my despatches to your Excellency, and in those of which I have transmitted copies for your information." Again, on the same day, Mr. Canning wrote thus to Sir C. Stuart:—"It is the desire and determination of his Majesty's Government to avoid, as far as possible, the appearance of any direct interference of British agency in the establishment of the new order of things in Portugal." He did not suppose that any Gentleman would contend, that because Mr. Canning enjoined Sir C. Stuart to avoid the appearance of British interference, he intended to authorize him to carry on that interference in a secret manner; by no means: Mr. Canning intended to deny the existence of any desire on the part of the British Government to interfere in the establishment of the new order of things in Portugal. Mr. Canning expressly said, that he founded his approbation of the Charter on the implied assent of the people of Portugal to it; and in a despatch dated the 17th of July, 1826, and addressed to Sir W. A'Court, he says—"It appears to us, upon the whole, that the best chance of a safe and tranquil issue to the present extraordinary crisis in Portugal will be to be found in an acceptance (as immediate as may be suitable with the importance of the measure) of the Charter of Don Pedro, coupled as it is with his abdication of the throne. Any other course must, as it appears to us, be full of danger." But what did Mr. Canning say afterwards?—"But if, nevertheless, another course shall be pursued, we shall not be the less anxious for its peaceable and happy issue, than if it were one which we had ourselves advised." He thought that he had now satisfactorily shown that Mr. Canning had never admitted that he was responsible for the establishment of the Charter in Portugal; and that the bringing of it to Lisbon by Sir C. Stuart, who, though a British subject, was a Portuguese agent, was no claim upon England to support that Constitution against the wishes of the majority of the Portuguese nation. The next point which he had to notice in the speech of his noble friend referred to the protocol of Vienna. His noble friend, and after him the hon. Baronet, had both argued that because the signature of a British Minister was attached to that protocol, we had contracted an engagement to see that the engagements into which Don Miguel had entered were faithfully observed. As the House had been told that this Motion had been made not so much with a view of obtaining any new documents, as with a view of casting a censure upon his Majesty's Government, he hoped that the House would, although it was an unprecedented night for debate, listen to him with patience whilst he entered at some length on the defence of Government. The circumstances under which we became parties to the protocol of Vienna were very fully explained in a despatch sent by Prince Metternich to Prince Esterhazy, the Austrian Ambassador to this country, and by him communicated to this Government. Hon. Members would find it at page 29 of these papers. He could assure the House that no instructions had been given to Lord Cowley, the British Ambassador at Vienna, to be present at the conference between Don Miguel and Prince Esterhazy, and his Lordship only joined the conference at the desire of Prince Metternich. The intention of Don Pedro to constitute Don Miguel his lieutenant in Portugal was known at Vienna, and was communicated by Prince Metternich to Don Miguel. In consequence of the excitation which then unfortunately prevailed in the minds of the people of Portugal, it was thought necessary that Don Miguel should go forthwith from Vienna to that country. Prince Metternich proposed to him to go thither by way of Paris and London. To this plan Don Miguel expressed great reluctance; and this was the manner in which Prince Metternich explained the matters on which he invited the British Ambassador to a conference, "Seeing ourselves thus arrested in our progress by the unexpected resistance we had met with from this young Prince, I determined at once, confidentially, and in the fullest detail, to make the British ambassador (whom I had previously informed of the object and end of my conferences with the Portuguese plenipotentiaries) acquainted with all that had passed between them and me, and between his Majesty and the Infant. I afterwards invited Sir Henry Wellesley to meet those gentlemen and me, to take together into consideration the means which we could yet adopt, in order to overcome the resistance of the Infant, and in the event of our not succeeding, to concert such measures, as, with the consent of his Government, from which we were quite determined not to separate ourselves in this affair, it might be necessary to adopt without delay, in order not to prolong such a dangerous state of things in Portugal." Such were the circumstances, he repeated, under which Lord Cowley had become a party to that protocol. But Lord Cowley never engaged to see that Don Miguel should perform the engagements into which he had entered towards his brother and towards his countrymen. He never gave any guarantee for the execution of those engagements. He was nothing more than a witness to their having been made; and thus he thought that there was an end to the assertion that Lord Cowley, and through him the British Government were a party to the arrangements which Don Miguel formally made with his brother and with his people. His noble friend had likewise stated, that there was a protocol in London, signed by Don Miguel previous to his departure for Lisbon, and that such protocol must have been fixed on before Don Miguel's arrival here, as it was alluded to in a despatch written about the same time from Lisbon by Sir F. Lamb. He did not feel himself at liberty to state to the House the contents of that protocol; for in arguing on official documents, of which he had determined to refuse the production, he did not think it right to describe their contents. Whenever these transactions should be brought to a final issue, that protocol should be published, and then his noble friend would see that there was no engagement, either express or implied, compelling us to prevent Don Miguel from acting as he had done. Much stress had been laid, in the course of the debate, on the appearance of the British troops in Portugal when Don Miguel first landed at Lisbon, and afterwards when he commenced his violation of the rights of his brother, and of his niece. He believed this to be the most important part of his noble friend's speech, and he knew that it was that which had created the greatest impression on the House. His noble friend had stated, that the appearance of our troops in Portugal was a direct interference in its internal affairs. "It mattered not whether it was intentional or not," he said, "but a direct interference it certainly was." It was true that the British troops were at Lisbon when Don Miguel arrived. It was true that instructions were given to our commanders to avoid interfering in the internal dissensions of Portugal, with this proviso, that in case of necessity, they were to grant protection to the members of the royal family. "Nothing" said the hon. Gentleman opposite, "could have been more easy than for us to have retained possession of the forts on the Tagus," and on that point he agreed with the hon. Gentleman, that if we were right to go to war with Portugal to support the Constitution, or to control Don Miguel, the time for going to war, or for using those menaces, which, if disregarded, left no alternative but war, was when Lisbon was occupied by our forces. Could there be any question upon that point? The period during which we had 4,000 or 5,000 efficient troops in Portugal, was the period when it would have been most expedient for us to interfere; but when we omitted that opportunity, and directed our troops to withdraw entirely from Portugal, we abandoned all right of interference for the future. It was only right that he should state to the House that the British minister had withheld the order for the withdrawal of the troops, contrary to his instructions, but in conformity with what he considered the interests of his country. The British Government, in the instructions which they had given him, had maintained the position laid down by Mr. Canning—that the troops were not sent to take any part in the internal dissensions of Portugal; and thus they were allowed to stay at Lisbon when Don Miguel arrived, and also when he assumed the royal signature, and usurped the throne of his brother. The British minister, from good motives, disregarded his instructions, acting therein with such perfect propriety as to receive for it the approbation of the Government at home. His reason for disregarding them was his desire to ascertain whether there was any engagement binding us to correct the extraordinary conduct of Don Miguel, or whether the interest of the country required that a menacing tone, or even war, should be adopted towards him and his intrusive government. All this took place, he ought to observe, after several appearances of an intention, on the part of Don Miguel, to assume the royal authority, and to place himself upon the throne. The decree for convening the Cortes at last came out, having the royal signature, instead of the signature of the King's lieutenant attached to it. The question, whether it should interfere or not, then came regularly before the British Government, and yet, though such was the question brought before it, the order that every British soldier in Portugal should be withdrawn was repeated, and, if he were not mistaken, the letter which contained that order bore the signature of William Huskisson. Thus, if the King's Government had basely shrunk from the performance of its engagements, it was at the very time that it could have interfered with the greatest effect; and if it were base to shrink from the performance of such engagements, the King's present advisers were not the only persons obnoxious to that imputation. There was another circumstance, to which it was painful even to allude, but to which he undoubtedly must allude, because it formed one of the combination of circumstances which led his noble friend to suppose that we were under engagement to make Don Miguel perform his contract towards his brother and his people, and that was the oath which Don Miguel had taken before the Emperor of Austria, the King of England, and the British Government, to stand faithfully by the Constitution. He admitted that such a promise was given in the most solemn, and that it had been violated in the most shameful, manner. God forbid that he should say one word in vindication of Don Miguel's conduct upon that head. He was well aware of the alliance which his noble friend was sure to form with the sympathies of all who heard him, when he had to deal with the engagements of a person upon whose character such reflections could be cast, and cast with justice. He was also well aware that his noble friend had availed himself largely of that natural sympathy which he was certain to excite when he pleaded in behalf of that young person whom we admitted to be the legitimate Queen of Portugal, and whose right Don Miguel had usurped. He (Mr. P.) was bound, as a Minister, to consult the great interests committed to his charge, and to decide on the merits of the question, not by listening to appeals to his feelings, but by pursuing the dictates of reason and expediency. It was true, then, that Don Miguel had disregarded the oath which he had sworn to his brother. What were the circumstances under which that oath was disregarded,—how far the violation of it was in compliance with the prevailing feeling of Portugal,—were points into which he declined to inquire, for he was not prepared to vindicate them. He had, however, heard it whispered that the same circumstances had happened before in the same family, and they might therefore entitle him to some allowance, though he admitted that they could not palliate his oblivion of the most sacred engagements. Honourable Members could not have forgotten that the Brazils had been separated from Portugal some years before in nearly the same manner as Portugal had recently been separated from the Brazils. He was afraid that it somehow or other had happened that Don Pedro had contracted towards his father engagements similar to those which Don Miguel had contracted towards Don Pedro. He was afraid that it likewise had happened that Don Pedro, relying on the support of the people, had violated his engagements towards his father as decidedly as Don Miguel had since violated them towards Don Pedro. He had some reason to believe that when Don Pedro was administering the Government of the Brazils in the name of his father, he took the following oath in a letter he wrote. "John, King of Portugal:—I protest to your Majesty that I never will be a perjurer. That if the people of the Brazils were mad enough to think of electing me Emperor, the election should not be until I and all the Portuguese in the Brazils were cut to pieces, and that I swear all this faithfully to your Majesty, writing in my own blood, this oath to be faithful to your Majesty, the Portuguese nation, and the Constitution." Circumstances arose shortly afterwards, which proved the value which Don Pedro set upon this oath. The prevailing feeling of the Brazils was so strong in favour of erecting the Brazils into an independent state, and of separating them from Portugal, that Don Pedro felt that he had no alternative but to yield to that feeling, and to declare himself Emperor, if he wished to preserve any amicable relations with Portugal. It was true that the cases of Don Pedro and Don Miguel were not analogous; for in the case of Don Pedro there was not even the shadow of an obligation made with England; still there was enough of resemblance between them to show that Britain ought not altogether to disregard the way in which such engagements had been violated by another member of the royal family of Braganza. There was another argument of his noble friend, which might appear to possess some importance—"You repudiate," said his noble friend, "all interference now, though I have shown that all your former course has been a course of interference. I claim your adherence, not to your exception, but to your rule. You have interfered often before in the affairs of Portugal, all I ask of you is to interfere again now." Now this, he begged leave to say, was a fallacious argument. He admitted that England had often interfered with the affairs of Portugal. The relations of England to Portugal were so peculiar, that it was impossible for England not to interfere in them. We had guaranteed in repeated treaties the independence of Portugal; and that guarantee gave us a right to interfere in the management of her affairs. His noble friend had said, "You interfered at Vienna about the separation of the Brazils from Portugal, and also about the appointment of Don Miguel to be Lieutenant of that kingdom: why do you not interfere for the restoration of the Charter?" He (Mr. Peel) would tell his noble friend shortly why. We interfered in the case of the Brazils, because under our mediation a negotiation had been entered into for separating the Brazils from Portugal, and for placing the crowns of the two countries on different heads. When Don Pedro, by the death of his father, united the two Crowns on his own head, we were compelled, by the treaty which had been signed under our mediation, to interfere in order to compel him to make his election of the Crown which he would prefer to wear. The treaty of 1825 rendered it necessary for us to call on Don Pedro to fulfil his obligations under it, and to separate Portugal and the Brazils for ever. Such interference as this might possibly be found by his noble friend in numerous cases; but where could his noble friend find any interference on our part with the internal regulations of the Government of Portugal? We had been connected with Portugal for four centuries, and in that time many changes had occurred in the form of government of both countries. There were treaties formed with Portugal in the reign of Charles 1st, and also in the time of the Commonwealth, and by those treaties we were bound to nothing more than maintain her independence against all assailants. When the Cortes met in 1822, and claimed our interference in their behalf, what was the answer given to their application by Mr. Canning? It was this—"We have undertaken to guarantee, and are ready at all hazards to guarantee, the independence of Portugal from foreign powers, but we have nothing to do with, and we decline to interfere in, its internal regulations." He therefore said, that there was no moral obligation, having the force of a formal obligation, arising from our past interference in the affairs of Portugal, which called upon us to interfere at present for the restoration of the Charter. But then came another question,—did any considerations of interest compel us to interfere otherwise than we hitherto had interfered? He really did not understand the course which his noble friend wished the Government to pursue. We had taken every other alternative but war, or the menace of war. We had withdrawn our Minister from Portugal some time ago, and he was still absent. The English Government had, as was generally known, become the guarantee for the payment of a loan made in this country to Don Miguel. The money was sent off to Lisbon, but as soon as Don Miguel refused to take the oath of fidelity to his brother and to the Charter, the British Minister sent back the first instalment of the loan, which had actually reached the port of Lisbon. On the affairs of Terceira, he did not intend to speak, for it appeared that they were to form the subject of another motion. He knew not to what acts, save those which he had mentioned, England could have resorted, short of war, or the application of such menaces as, if disregarded, would render war a natural consequence. Now, was it for the interest of England, he would ask, to go to war for the purpose of compelling Don Miguel to perform his engagements, or of enforcing on a reluctant people a Constitution for which they had no predilection? Under what circumstances, he would ask, was that Constitution granted? The House had been told that it was the duty of England to range herself on the side of free constitutions, and against despotic governments; and that she ought, upon that principle, to throw her sword into the balance of parties which were now dividing Portugal. In plain English, the argument of the hon. Baronet, and of his noble friend, when stripped of its dazzling rhetoric, was nothing more than this—"We ought to go to war for the Portuguese Constitution." Now, whatever the feelings of the people of England might be at present regarding the propriety of such a war, he would venture to predict that two months would not elapse after its commencement, before the supplies for prosecuting it would be withheld. Was, then, that Constitution granted with such deliberation and consideration of circumstances as ought to precede the grant of a form of government? It was true that that Constitution emanated from a legitimate source. But under what circumstances? Don Pedro received intelligence of the death of Don John on the 26th of April. On the 30th of April he had an interview with Sir Charles Stuart, when mention was first made of the Portuguese Constitution. Sir C. Stuart, in his despatch to the British Government on the subject, said, " he produced the project of a Constitution for Portugal, to the compilation of which he had devoted the greater part"—of what would the House suppose? Of his life? No; Sir Charles Stuart added, " of a week." This was the manner in which Don Pedro had framed a Constitution by which a country 2,000 or 3,000 miles from the Brazils was to be governed. Before this country resolved to go to war, in support of such a Constitution, it would at least be material to ascertain how far the affections of the people of Portugal were enlisted in its favour. On the 1st of March, 1828, Sir Frederick Lamb wrote, in a despatch to the British Government—" Don Miguel is constantly assailed with entreaties to make himself King. That the assumption of sovereign power by Don Miguel was likely to be popular with the majority of the inhabitants of Portugal." In the course of the same month Sir F. Lamb stated, in another despatch—" No party here of any consequence attaches the least value to the Charter." These facts being perfectly undeniable, he implored the House to reflect upon the consequences of forcing upon a reluctant people a Constitution, however good in itself. It should not be forgotten that an effort had been made in Portugal to oppose the assumption of power by Don Miguel. The army aided that attempt, all the disciplined force of the country was in its favour, and yet the attempt signally failed. The failure of this attempt to dispossess Don Miguel of his usurped authority warranted the assumption that we should meet with no cordial support from the people of Portugal, if we entered upon a war in support of the Constitution. It was said that Brazil had proposed to us to enter into a treaty, the object of which was to dispossess Don Miguel of his power and re-establish the Constitution; but it was quite evident that this would be merely a nominal treaty on the part of Brazil, and that the whole burthen of the war, if it were undertaken, would fall upon us. Besides, there were good reasons for supposing that even if the government of Brazil were inclined to defray its share of the undertaking, the people of that country would not consent to such a sacrifice in favour of Portuguese interests exclusively. On the ground, therefore, that there was nothing which called upon this country, in vindication of its honour, to go to war, or to pursue any other course than that which had been pursued, on the ground that the interests of the country, apart from considerations of honour, were opposed to war, he would resist the Motion, the object of which was to express an opinion in favour of another line of policy. He wished, on his own account personally, and as connected with the Administration, that the papers moved for could be produced; but in the present state of our relations with Portugal, he was bound to state his opinion, that it would not be for the interest of England, it would not be for the interest of Portugal, it would not be for the interest of that party with which the sympathies of his noble friend were so justly and so honourably engaged. On these grounds he was bound to state, on his responsibility as a Minister of the Crown, that it would not be wise to produce the documents at the present moment. The noble Lord had stated, that the papers already produced on the subject were garbled extracts. He denied that most distinctly. He trusted that the House would not be imposed upon by whatever they might have heard with respect to the predilections of his Majesty's Government for arbitrary power and despotic institutions, and of its indifference to free institutions, and to the fate of those who had been engaged in maintaining them; he hoped, he repeated, that the House would not allow itself to be led away by vague accusations, that Government was insensible to the painful situation of those persons who had involved themselves in difficulties from their adherence to the free institutions of Portugal. He could state with truth that Ministers were at the present moment labouring earnestly and solicitously for the protection of the interests of those unhappy persons, and he could assure the House that one of his main grounds for withholding his assent from the Motion before them, was his deliberate conviction that the unreserved communication of documents would not promote their interests. An attempt had been made to raise a prejudice against the Government by asserting that Ministers had insisted that Don Pedro should give his daughter in marriage to Don Miguel. He could only meet that positive assertion by as positive a denial. The British Government had never attempted to press the marriage upon Don Pedro since he declared his insuperable and very natural repugnance to the union. Indeed, all communications with Don Pedro on that subject had been made rather with the view of ascertaining his sentiments than any other object. After the explanation he had offered, he was sure the House would bear him out in the assertion that the British Government had done nothing to disgrace the honour of England. The Government professed no friendship for arbitrary power, it expressed no approbation of the course of conduct which Don Miguel had pursued. He claimed permission to share in the sympathy which was felt for those individuals who were suffering on account of their attachment to free institutions, and their adherence to the cause of Don Pedro, whom they considered their legitimate monarch; but he trusted it was possible to reconcile that feeling with obedience to the dictates of calm and sober judgment. He thought it was the true policy of England to maintain peace as long as it could be maintained consistently with honour, and not for one hour longer than it could be so maintained. In the present instance he was of opinion that the maintenance of peace was perfectly consistent with the honour and interests of England; and let the judgment of the House be what it might, he, for one, never would be a party to a vote, which would have the effect of contravening the policy which the Government had hitherto pursued, and of which he believed the House would, at no remote period, have cause to repent [*cheers*].

Mr. *Huskisson* said, that he was well aware that that day was not ordinarily devoted to debate a great public question; but it having been admitted that his noble friend had no alternative but to bring forward his Motion on that day, or forego it altogether, that was a full vindication of his course of proceeding. It had always been admitted that one of the highest privileges of that House was to superintend the conduct of the Ministers, and never was there a time, perhaps, in which the exercise of that privilege had been so long suspended. He had reason to fear that ere long the country might regret that the House had, on the subject of our foreign relations, neglected its duty. Perhaps that might be attributed to the satisfaction which the conduct of the Ministers had given when they sacrificed, on a great public question, their individual opinions to the voice of the country. For that they had received and deserved praise; and he thought if the House would take the same trouble in enforcing a different line of foreign policy, that it had taken to improve our domestic relations, similar beneficial results would arise. He regretted to say, that while our domestic policy met with general approbation, our foreign policy was as generally condemned, not only in this country, but by all the enlightened people of Europe. He could easily shew sufficient grounds to justify that general opinion, were he to examine the foreign policy of Ministers during the last ten years. But he would not travel over so wide a field. He would content himself with remarking, that our foreign policy had altered for the worse since the period of Mr. Canning's death. Since that national calamity, for in his opinion the death of that great man was a national calamity, the country had been losing ground in the estimation of foreign powers, and her name, then revered in every corner of the world, was now little respected. The confidence of Mr. Canning had arisen from his conviction that his line of policy was equally adverse to that faction—that, he believed, incurable faction—which desired that every thing should return to the condition in which it was before the French Revolution, and that other faction, not less incurable, which was ever fanning the flames of revolution, and ever striving again to abolish the sacred marks of property, and to disturb that happy state of peace and tranquillity which had been the lot of Europe since 1815. Whatever might be the defects of the general arrangements among the great Powers of Europe, made at that period, they had certainly preserved it in peace, and the nations had become so sensible of its blessings, that the statesman must be little less than insane who sought to revive the calamities of war. For himself, he must declare, that he abjured all community of feeling with those who wished again to disturb the repose of Europe. Nothing but the preservation of national honour, or of national independence, could justify a renewal of hostilities. It had been truly stated, that Mr. Canning had no share in the formation of the Portuguese Constitution, and the fact was so notorious, that no arguments were required to prove it. But that Mr. Canning had never interfered concerning this Constitution was a very different proposition. He was able to bear his personal testimony to the feelings of Mr. Canning on the subject of the Portuguese Constitution; for he happened to be in his company when tidings were transmitted from Paris of that Constitution having been brought to Europe by Sir C. Stuart, and the mode in which it had been received in Portugal, and the vexation that right hon. Gentleman expressed on the occasion was extreme. He took great pains to make it known that he had not advised the giving of that Constitution, but when it had been given, he did not refuse it his countenance. Considering who was the bearer of that to Europe, and considering the activity of Sir C. Stuart who was stated, in a despatch of Sir W. A'Court, to be solicitous for its adoption, it was a very natural inference on the part of the Portuguese, that this country was anxious to support it. In the autumn after it had been sent to Europe, it was acknowledged by persons of all classes in Portugal; and when a faction, supported by Spain, or as it was called by Mr. Canning, a furious fanatical cabal swaying the King of Spain in his own Cabinet, and supplied with arms and stores from thence, made its appearance in opposition to the Constitution, a force was sent by Great Britain to protect Portugal from the invasion. After such conduct, it was in vain to state that we did not undertake to defend the Constitution against foreign enemies: from that moment the connection between Great Britain and Portugal was identified with the maintenance of those free institutions, and from that moment Portugal was necessarily divided into two parties—British and Spanish. He could further assert, that from the moment our ambassador at Vienna signed the Protocol concerning the government of Portugal, from that moment we were as much bound by his acts as if his Majesty's Government had sent out special instructions to him upon that subject, and that he had communicated the fact of having received those instructions to the other parties engaged in the negotiation. Yet his right hon. friend had referred to the papers connected with that negotiation, and had contended from them, that in consequence of Sir Henry Wellesley having received no instructions from his Majesty's Government, therefore that Government was not bound by his acts. Now let the House see how that statement agreed with the facts. In adverting to the present point in dispute, he was not about to betray any information which he might have obtained while holding a place in his Majesty's Council. He would state nothing but what he had heard from others—he would state nothing except what had been made a matter of the most perfect notoriety—nothing but what had been supplied from documents already published—and the House would see that his right hon. friend had not stated all the facts. Nothing could be more distinct and explicit than the statement put forth, that it was the first object of the British Government to establish peace between the different branches of the House of Braganza, and to maintain the Constitution sent to Portugal by Don Pedro. Of that principle Sir H. Wellesley was perfectly apprised, and nothing, he confessed, could exceed the surprise with which he heard his right hon. friend the President of the Board of Trade give a denial to such a statement. He should be able to show, from documents already before the public, that the British Ambassador at Vienna was instructed, and did all in his power, to bring about the maintenance of the Portuguese Constitution of Don Pedro. It was not denied in any quarter that that Constitution had an advocate in the negotiations at Vienna: did any one suppose that that advocate was Prince Metternich? Which was it more likely, that he or Sir H. Wellesley would act the part of advocate upon such an occasion? When he heard that our ambassador was passive and not active in those negotiations, he could not help referring to the Protocol of the 23rd of October. He found that set out with stating, that "after the Protocol of the last conference had been read and approved, the British Ambassador announced that he had a confidential and important communication to make." What, the House might naturally inquire, was that important and confidential communication? Nothing less than that it had been discovered that persons at Paris and Madrid had organized a plan to overthrow the liberal institutions of Portugal, and for the purpose of indisposing Don Miguel to act fairly and honestly by the Constitution sent by his brother; and therefore it would be necessary to call on Don Miguel to pledge himself strongly in support of that Constitution. Thus, then, it was obvious that England had, in every part of those conferences, maintained the attitude and position of an advocate and supporter of the Portuguese Constitution, and had given the people of Portugal reason to believe that those amongst them who also supported it should have the benefit of her assistance, countenance, and support. Soon after this Don Miguel wrote to his brother, Don Pedro, and in that Letter pledged himself to govern according to the Constitution; he also wrote a letter of the same purport to his sister. Then came his proclamation to the Portuguese people, containing similar assurances, and last, though to the Parliament of Great Britain, not the least important, there was the letter of Don Miguel to our own Sovereign—there was the contract made with the people of England through their Monarch—a contract made in the face of Europe, and of which the people of Europe looked for the performance to the moral weight and character of the English Government and the English nation. All Europe, he would affirm, was led to place confidence in Don Miguel, in consequence of the intervention of England, and the communication which he had had with that power. He would not add to these circumstances all the personal honours which Don Miguel received in this country, in consequence of the apparent fairness of his conduct, and which further proved the feelings of our Government with reference to the Portuguese Constitution. But he desired the House to remember the Protocol of the 12th of January, to which it was said that the Plenipotentiary of Don Miguel was no party; but England was a party to it, and Austria was a party to it, and the subsequent acts of Don Miguel made him a party to it; yet, from his acts immediately after his return to Portugal, it could not be doubted that he had previously plotted and planned for the abandonment and destruction of that Constitution altogether, and for the establishment of a system directly its reverse. Don Miguel left this country accompanied by the British ambassador, and supported by a British force. He arrived at Lisbon, and before six or seven days had elapsed, he manifested the fullest disposition to reject the Constitution, to disregard the solemn pledges he had given, and to break the sacred oaths by which he ought to have been bound. He seemed desirous to show, under the tuition of his bad mother, that he could trifle with the most sacred obligations, and gratuitously deceive those who placed confidence in him. His conduct soon shewed that no reliance could be placed on his honour, no faith could be put in his oath. They had been told that the British ambassador had remonstrated against his proceedings; but they ought to have the exact words in which he did so remonstrate, in order that they might judge of the spirit and tendency of the instructions which he had received, and the principles which governed the advisers of the King in the course which, upon that occasion, they thought proper to adopt. Let the instructions on which these remonstrances were founded be produced, and he would prove to the House, that even then the maintenance of the Portuguese Constitution was the great object of the British Government. When his right hon. friend endeavoured to implicate him and his noble friend in some of the proceedings which were complained of, he would say to his right hon. friend, "Give us the papers, give us the papers, and then we can defend ourselves." He admitted that the despatch which actually recalled the troops did bear his name, but he was sure that his right hon. friend, when he made that assertion, had not given himself time to look at the documents, imperfect as they were. The Letter to which he wished particularly to refer (that from Sir Frederick Lamb), was dated the 7th of May, and was received in London on the 27th. Now, it happened, that before the 27th of May he had resigned the seals of the Colonial department. This letter referred to the copy of a note from the Foreign Secretary (Lord Dudley) to the Marquis Palmella. Why had they not that note before them? On the day on which that letter was written, the council of Don Miguel resolved upon convoking the Cortes. That was the first indication which they had of a disposition upon his part to be guilty of the treachery which marked the succeeding part of his course. He said again, he was perfectly ready to admit that the order was signed by him which was sent for the recal of the British troops, and that that order was sent after the conduct of Don Miguel had given some cause of uneasiness to his Majesty's Government; but it was not to be forgotten that the Government of that day directed their Ambassador to address to Don Miguel the strongest remonstrances upon the nature and tendency of his conduct; and he much wished that that remonstrance was then upon the Table of the House, that Parliament might be enabled to judge of the manner in which the then advisers of the Crown had acted. The result of the despatch which was received on the 22nd of June was, that Sir Frederick Lamb suspended his functions at Lisbon until further orders, and the other Powers all followed the example of England. On the 13th of July his Majesty's Ministers received a very laconic letter from Sir F. Lamb, in which he said, "I enclose the proclamation of Don Miguel, in which he claims to be recognized as King." Thus it appeared, that on the 13th of July his Majesty's Ministers received the notification of his having usurped the throne of Portugal, long after he ceased to be connected with the Government. On the 13th of July, Ministers received this information, and he would remind the House, that only three days after the receipt of that despatch, when one would suppose that the Government would have been filled with indignation at the imposition which had been practised on his Majesty—when one would imagine that the deceit of Don Miguel would meet with their strongest reprobation — only three days after the arrival of that information, the Secretary of State for the Foreign Department (the Earl of Aberdeen) declared—his regret at the usurpation? or his sorrow for the fate of the persons whose lives and properties were sacrificed by the usurper? No such thing; he declared that the friends of Don Miguel spoke the sentiments of the Portuguese people. Thus did it go forth to the world, that the moral influence of Great Britain had expired; thus did it appear that our friendship and assistance were mere shadows. Well might the Portuguese say, when an English minister again proffered them assistance, *noscitur à sociis*—heaven defend us from such friends. But it seemed, we were to be friends of neither party. As if to make up for the praise thus bestowed on these actions, the noble Lord had lately spoken of the character of this wretched Prince in good set terms of horror and detestation. There are no terms in our language, he believed, which could adequately describe the compound enormity of baseness, perfidy and villany in so young a man. Before the age of 26 he had attempted or perpetrated every crime, and displayed every vice which historical truth and poetical fiction have accumulated upon the head of the most sanguinary and remorseless usurper that ever waded through the blood of innocent kindred and betrayed friends to the British Throne. The parallel might, perhaps, not end here. Portugal, like England, may have a Bosworth Field. For one, I should not be sorry to see it. It would be something, at least, for the honour of high lineage and Royal blood, if, like our Richard, Don Miguel should thus be permitted to veil the infamy of his life by the courage which marked its close; and that it should not be said of him, in the page of history, as it was said the other night by a noble Lord, that he was cowardly because he was cruel. Let him not descend to posterity blacker than Richard, and then, God knows, he will still be black enough. But could they talk of this individual abstractedly, and without reference to the engagements into which he had entered? Could they forget the pledge which he had given to the King of England? Could they overlook the indignity with which his subsequent conduct visited the monarch of this country? To use a military metaphor, a gallant body of British troops, including a portion of his Majesty's household forces, had been sent out as a covering party, to facilitate the assaults and attacks which Don Miguel was about to make on that Constitution which he had sworn to maintain—they were sent out to look on his brutal violence, and to view, unmoved, the judicial murders which he was committing. Was it for the honour of this country that there should be now some 30,000 or 40,000 Portuguese wandering all over Europe? He could assure his right hon. friend, whatever he might think, that the impression throughout the world was, that the Constitutional party in Portugal had suffered deeply for their strict adhesion to this country. His right hon. friend had argued, that Ministers were justified in the course which they had adopted, and that they would have acted improperly if they had, under the existing circumstances, interfered with Portugal. Why, the history of Portugal, for the last thirty years was nothing but the history of English interference; and it could not be otherwise, in consequence of the engagements which bound this country to that limited and feeble state. All must know the reason of the engagements which bound us to defend Portugal from any aggression, come from what quarter it might. It was evident, when an engagement so binding, and yet so inconvenient to this country, was so long preserved, that there must be some leading and paramount interest which called for it. That leading and paramount interest was to prevent Portugal from falling into the hands of any of those great powers which adjoined that state, and which this country was accustomed to view with jealousy. Besides, the situation of Portugal was such as would enable this country the more easily to repel any design which the Spaniards might meditate with respect to Gibraltar. Supporting that power against her continental neighbours, we kept a long line of sea, of sea coast harbours of great utility, and a considerable maritime population in the hands of an ally. Portugal ought, therefore, to claim as a right a paramount interest in our councils. What had been the history of our connection with Portugal for the last thirty years? Early in the late war, an application was made by Spain to Portugal, calling on her to shut her ports against Great Britain. And what representation did Portugal make to this country? She said, that either we must defend her at our own expense, and with our own army and navy, or else that she must comply with the unjust and improper requisition of Spain. This country then entered on the defence of Portugal, with a most unbounded profusion of men, of money, of military, of naval, and of every other description of succour. Did we not train up in that country a well-appointed force? Did we not give strength to her government, and inspire her whole population with a spirit warmly devoted to the preservation of her rights? All this was done, and in what situation stands that country now? All that we did had been overturned; and general corruption, folly, feebleness, and immorality prevailed. Portugal was now in a state of absolute inability to make any defence against foreign aggression. She was as inefficient to defend herself in 1827 as she was at any time when she called for our assistance. It was the paramount duty then of this country to give to Portugal such institutions as would render her government sufficiently strong and powerful, as not to be dependent on England on every trifling occasion of danger. If he were called on to state instances of our interference, not during the period of war, but since the peace, he would say, that before the Constitution was sent over from Rio Janeiro, a large British force was lying in the Tagus. That force was stationed there, not to assist one party or another, but to preserve the government inviolate. And when Don Miguel attempted the foulest treason to his sovereign and his father, how was it prevented? Why, by the intervention of the British ambassador, who placed the captive monarch on board a ship in the harbour, and sent him for safety out of the country. Speaking of interference, he would suppose that when Don Miguel was engaged in the subversion of the Portuguese Constitution, in violating the most solemn pledges, and profiting by the presence of the British force to perpetrate a series of the most odious treachery, he would suppose that Donna Maria, the rightful Queen of Portugal, had then arrived in that country, and had placed herself at the head of the patriotic party; and what then, he would ask, would have been the conduct of the British ambassador. Would he have deserted her, or would he not rather like the ambassador in 1824, have protected her by the British force against domestic treason. Did the relationship of the parties make any difference, the rights of the parties being the same. Did absence make any difference as to these rights? He thought not. And if the British ambassador received the sanction of the Government in one case, he would not have deserved its censure in another; he would not have merited condemnation, had he protected the Constitution and Donna against this latter outrage of Don Miguel, as he had protected the father of that Prince against the former. His right hon. friend seemed not to like the Constitution of Portugal, because it appeared that the Emperor had framed it in less than a week, and because it was not suited to the disposition of the Portuguese. He did not stand up to defend that Constitution; but it was no answer to him to say that it must be defective because it was framed in so short a time. Let his right hon. friend recollect how long Louis 18th was occupied in framing the Charter of France. He believed the Charter of France—and he hoped it would not die a premature death—was promulgated in three days after the necessity of such a measure was pointed out. When the House was gravely told that England ought not to interfere with other countries, that this was equally contrary to her practice, and the law of nations, he begged to ask what was the history of Europe for the last fifteen years, but a history of such interference? Naples, Spain, Piedmont, all the smaller states of Europe, had been so interfered with; the fact was, that the sort of constitution to be interfered with justified or condemned interference. Did any people, urged by their wants, proceed in a peaceable, orderly, and quiet manner to remodel their ancient usages, giving themselves institutions intended to secure life and property, and encourage the growth of improvement, while they afforded a protection against arbitrary power; if those institutions involved the liberty of discussion, and the freedom of the press, and promised to establish a regular and free Constitution; if they were brought about by the instrumentality of the people, all the despots of Europe immediately joined to crush them. No question was asked whether the Constitution were good or bad, fit or unfit; the only question was, did the constitution flow from the people, was it the spontaneous growth of the public sentiment, and if it were, it was to be unhesitatingly crushed. That the Portuguese Constitution came from a legitimate source, even the despots of Europe could not deny; that it was well received by the most intelligent of the Portuguese people was equally certain; but when this Constitution was put down by a fanatical rabble, headed by priests, and stimulated and supported by a neighbouring sovereign, then the people of England heard of nothing but the doctrine of non-interference, then his right hon. friend the Secretary of State for the Home Department, and the noble Lord, the Secretary of State for Foreign Affairs, though never over-anxious to recognise the power of the people,—founded their principle of non-interference on the impropriety, the impolicy of appealing against the voice of the people. The Constitution had the marks and stamps of freedom, and that was the reason why it was not supported. Though recognised by all the legitimate sovereigns of Europe, it was not for one moment to be defended. Had an attack been made on an absolute Monarch by the people, their armies would instantly have marched to his rescue. They looked, however, with complacency, and with approbation, on the overthrow of free institutions. It was not for England to hold counsel with those who entertained such doctrines respecting the duty of sovereigns. He had already referred to the language used on hearing of Don Miguel's usurpation, and was that the only indication we had given of our readiness to support him? What was the reason, he would ask, of the breathless haste with which the blockade of Oporto was recognized,—a blockade so utterly inefficient, and even ridiculous, that whilst the government at Oporto was sitting devising measures against Don Miguel, the first intimation of it was conveyed by the newspapers? All Europe was astonished that Great Britain should so prematurely have thrown its great influence into the scale of usurpation. His right hon. friend (Mr. Peel) had said "Would you go to war?" Why, if England had manifested her opinions in the tenour of her conduct, and especially if she had declared those opinions to her allies, such a declaration would alone have been sufficient to crush the usurper. Even if war were the result, no man could deny that a war against an usurper, a rebel against his sovereign, and a persecutor of his people, would have been just. But had we merely blockaded the Tagus, or issued a declaration, or made a display of force, that would have been sufficient, and there would have been an end of the usurpation. But the fact of this interference in support of the usurper, and against the legitimate sovereign of Portugal, was no longer an inferential charge against the Government. It had lately been avowed by the head of that Government, that his proceedings in respect to Terceira were pursued with that intent. With grief and mortification, greater than he could trust himself to express, had he heard it declared that the state of Terceira was not such as it ought to have been, and would have been, had the other Powers of Europe done their duty as this country had done hers. What was the plain meaning of this declaration? That we had done every thing in our power, and more, as it would be made too plainly to appear, than the law of nations, sanctioned for the odious purpose of putting Terceira under the dominion of Don Miguel; and that he complained that other powers had not cooperated with us in this iniquitous project. We are disappointed, forsooth, because the King of the Netherlands would not send his ships of war to prevent Count Villa Flor and his gallant companions from finding an asylum in that Island—and yet the King of the Netherlands was not committed, as England was committed, to the protection of those who had stood by the Constitution and their legitimate Sovereign, and who had been taught by us to believe that, in so doing, they were standing by the connection of their country with Great Britain: but, if not committed to them, he felt himself bound by the law of nations, and the claims of misfortune. Sir, (said Mr. Huskisson) at the time I am now speaking, this ill-omened declaration has probably reached the young and gallant hero, Count Villa Flor, who is charged with the defence of that Island, and who has shewn how worthy he is of that trust, by the brilliant manner in which he repulsed the Miguelite forces last autumn. What must have been his feelings at reading this declaration? amounting, as it does, to an expression of regret and disappointment, that he had been able (able unassisted, able in spite of the hostile interference of England) to save himself and his loyal countrymen, by their own prowess, and their own resources, from the scaffolds, the tortures, the dungeons of the usurper. I think I see him casting his eyes round that little Island, now so endeared to him by all the noblest ties of patriotism and honour—I think I hear him exclaim, in the agony of embittered, but indignant feelings, "I was but a stripling, when, in 1810, Lord Wellington made his stand in the lines of Torres Vedras. That last little nook of the land of my birth was then the only spot in the west of Europe, from Venice to the mouth of the Vistula, which was not under the yoke, or in immediate subjection to one overwhelming usurpation. It was there that I saw Lord Wellington plant that standard of defiance against the countless armies of Buonaparte, which, three years afterwards, flying triumphant across the Pyrenees, was waving in victory, and amid the shouts of general peace, upon the ramparts of Thoulouse. The sight of Lord Wellington shut up at Torres Vedras first kindled in my youthful bosom the love of freedom, and the aspirations of honourable fame. If from Terceira I now defy the tyrant of Portugal, it is because the example of the Duke of Wellington has taught me what may be achieved by indomitable fortitude, and by unshaken perseverance in a just cause. It is with unbounded admiration of those virtues in him, that I have studied to make him my pattern, and that I raise my daily prayers to Heaven, that I may have the constancy to emulate them for the restoration of my lawful sovereign, and the deliverance of my native land." If these be the feelings of Count Villa Flor, when he receives the declaration to which I have alluded with so much pain and regret, I can only say that, with those sentiments, I had rather be Count Villa Flor, shut up with his faithful band at Terceira, than the Prime Minister of England, regretting that he and they are still able to defy the vengeance of Don Miguel; and fearing that from thence, they may at last accomplish the downfall of his tyranny, and the restoration of peace and happiness to Portugal. The right hon. Gentleman concluded by saying he thought on the whole, whether Parliament looked to the honour of Great Britain or its interests, whether it looked to the opinion of foreign states on the necessity of encouraging freedom; it was bound to interfere, it was bound to call for that information which could alone enable it to form a correct opinion of the conduct of Ministers. He wished for inquiry, and for the interposition of the authority and opinion of Parliament, in order to prevent those further proceedings which would make the Ministers of England appear disadvantageously in the eyes of Europe, and a blot in our history in all time to come. There was but one feeling throughout Europe, that this country ought to interpose, for the protection of that party which were now the agents of persecution for a measure which we had countenanced. Something had been said of a treaty of Amnesty; he would only say that unless it were guaranteed by something more trustworthy than Don Miguel's oath, no man ought to rely on it.

Mr. Secretary *Peel* explained, that his right hon. friend had complained that he had stated that the British army had been recalled from Portugal, whilst he (Mr. Huskisson) was Colonial Secretary, at a time when it was known that Don Miguel had violated the Charter. But he had not stated that when his right hon. friend recalled the British troops Don Miguel had taken the title of King, though he had given indications of his intentions to usurp that title. The order was given on the 26th of March; and, previous to giving it, a letter had been received from Sir F. Lamb, stating that the officers of the army had been displaced, and that other steps had been taken, which were the evident precursors of more violent measures. On the 24th of March, Sir F. Lamb notified to Lord Dudley, that the Chamber of Deputies had been dissolved, without requiring that another should be convoked, which was directly contrary to the Charter. It was subsequent to the former despatches received from Sir F. Lamb that the order had been used for the recall of the British troops, and he therefore inferred that his right hon. friend concurred in the policy of the British Government not to interpose by force for the protection of the Portuguese Constitution.

Mr. *Huskisson* explained. What he complained of was, that his right hon. friend quoted despatches of his which he did not produce, and he challenged his right hon. friend to produce the letter signed by him.

Mr. *Peel* (with warmth.)—"I deny the charge, [loud cries of 'hear.'] I did not quote the letters of the right hon. Gentleman. There is an end of all discussion, if I cannot refer to facts. I said that an order was given for the recall of the British troops by a Secretary of State, and that Secretary was Mr. Huskisson. I quote no letters: I relate facts."

Viscount *Sandon* said, that he did not think an armed interference was required; but Ministers had other means, even stronger than arms: and it would have been sufficient had they expressed their opinion against the usurpation. A foreign Minister of the country had declared that the friends of Don Miguel were the friends of this country; and a few nights after, the same Minister had declared that Don Miguel was cruel because he was cowardly. Both these sentiments were, in his opinion, improper; and he could not give his confidence to a foreign policy so conducted. He admired the domestic policy of the present Government; but if he was put to the test, he must say that he could not place confidence in the foreign policy of the Government. He saw an absurd readiness to recognize the blockade of Oporto by Don Miguel, and a determined opposition to every blockade instituted by the Greeks. He said the expedition to Terceira was beaten back, and that to Mexico allowed to pass unmolested. It was because he disapproved of the policy that he meant to support the Motion of the noble Lord.

Viscount *Palmerston* replied.—He was not, he said, desirous of occupying the House at that hour, but some observations had fallen from his right hon. friend, to which a reply was necessary. His right hon. friend had complained that he had made choice of his points of attack, but he had forgotten to add, that the Motion was communicated to Government some time before, and it embraced every point on which he had made any observations. His right hon. friend (Mr. Peel) had charged him too with broaching opinions which he had not avowed whilst a member of the Cabinet; but, looking to dates, that reproach would not appear well founded. It was true, that he (Lord Palmerston) made no objection to withdrawing the British troops from Portugal; but he denied that the government of Portugal had then taken a decisive course. He (Lord Palmerston) felt himself in an embarrassing situation, for he did not know whether he was entitled to use, even hypothetically, the expressions in the remonstrances made by the English Government to Don Miguel; but he challenged his right hon. friend to produce them. The order for the recall of the troops was sent on the 6th of March. The arrival of the first communication of any thing like the assumption of royal authority on the part of Don Miguel was on the 7th of May. On the 19th of May, he (Lord Palmerston) attended the last Cabinet Council on this subject. He wished the right hon. Gentleman would produce the answer to that despatch of the 7th of May. It would appear from that despatch what was the tone held by the British Government towards Don Miguel. He challenged his right hon. friend to produce these papers, which would decide the difference between them. If his right hon. friend would produce the others, he would not press for those which regarded the negotiations with the Brazils, and he did trust that the House would support his Motion to this extent.

Strangers were then ordered to withdraw, and a division took place. The numbers were — For the Motion 73: Against it 150:—Majority against the Motion 77.

List of the Minority.

Bankes, Henry
Beaumont, T. W.
Bentinck, Lord G.
Bernal, Ralph
Blake, Sir F.
Burdett, Sir F.
Canning, Sir Stratford
Carter, John B.
Calthorpe, Fred.
Cave, R. Otway
Cavendish, Henry
Cavendish, Wm.
Chichester, Arthur
Davenport, E.
Duncombe, hon. W.
Denison, J. E.
Dundas, hon. Thomas
Ebrington, Viscount
Ellis, hon. Geo. Agar
Ellis, hon. Augustus
Encombe, Viscount
Ewart, W.
Fazakerly, John N.
Fyler, Thomas B.
Graham, Sir J.
Grant, rt. hon. C.
Grant, R.
Heneage, G. F.
Hobhouse, J. Cam
Howick, Viscount
Honywood, W. P.
Horton, rt. hon. R.W.
Huskisson, rt. hon. W.
Inglis, Sir Robert
Jephson, Chas. D. O.
Knight, Robert
Labouchere, Henry
Lamb, hon. George
Lambert, Jas. S.
Lennard, Barrett
Littleton, Edw. J.
Macdonald, Sir James
Macqueen, Potter
Maberly, J.
Morpeth, Viscount
Norton, G. C.
Nugent, Lord
O'Connell, Daniel
Ord, William
Peech, N. W.
Pendarvis, E.W.W.
Philips, Sir George
Philips, Geo. R.
Phillimore, Joseph
Price, Robert,
Protheroe, E.
Rice, T. S.
Robinson, Sir H.
Rumbold, E. C.
Russell Lord John
Sibthorp, Col.
Smith, W.
Stanley, E. G. S.
Tennyson, Chas.
Thomson, C. P.
Townshend, Lord C.
Vyvyan, Sir R.
Uxbridge, Earl of
Warrender, Sir G.
Wetherell, Sir C.
Whitmore, W. W.
Wood, C.

TELLERS.

Palmerston, Lord
Sandon, Lord

PAIRED OFF.

Hume, Joseph
Ingilby, Sir W. A.
Gordon, R.
Wilson, Sir R.

HOUSE OF LORDS.

Thursday, March 11.

MINUTES.] Returns were laid on the Table, of the quantities of Corn, Flour, and Meal imported into the United Kingdom, since July 15th, 1828; and of the weekly average price of Corn, since the same period. Several Petitions were presented, complaining of Agricultural Distress, praying that the East-India Company's Charter might not be renewed, and that Suttees might be put a stop to.

COUNTRY BANK NOTES.] The Duke of *Wellington*, in presenting a Petition from the Parish of St. Pancras, against the Vestry Act, took an opportunity to answer a question put to him by his noble friend (Viscount Goderich) on a former evening, with respect to a return of Country Banknotes, stamped within a certain period. On inquiry, he found that he was right in supposing, as he did, when he answered his noble friend's question at first, that the amount of Scotch notes was included in the account on both sides. He had ascertained that it would be quite impossible to distinguish between the stamps issued for England and Scotland, except as regarded those for 1*l.* notes, which were all Scotch. The account included the notes of the chartered banks.

DUTIES ON CONVEYANCES OF LIFEHOLD PROPERTY.—FIRE INSURANCES.] The *Earl of Malmesbury* wished to obtain returns of the proceeds of two different descriptions of Stamp-duties, in one of which, he, as a land-owner, felt a particular interest; and the other of which included the interests of many classes of the community. As the day was approaching, on which it was intended to submit to the other House of Parliament the usual annual financial statement, he thought he could not do better than advert to the subject at that moment. He alluded to the Stamp-duties upon Conveyances of Lifehold property, and he wished to call their Lordships' attention, for a short time, to the subject. In some of the western counties in which he possessed landed property, it was usual for cottagers to hold their cottages on lives; and the custom was a good one, as it encouraged the breeding up (if he might use the expression) of a respectable class of cottagers. When these individuals had children, they naturally desired to put their children's lives in their leases as well as their own; and the usual fine for adding one life to two others in such case was (according to his own experience, and he believed, it was the same in the case of other parties) 5*l.* But this was not all; the tenant who paid his landlord 5*l.* on account of this transaction, had to pay to Government a duty of 1*l.* 15*s.* on the conveyance, and 1*l.* 10*s.* on the counter-part, thus, making a sum of 3*l.* 5*s.* stamp-duty, payable on a transaction of which the amount between landlord and tenant was only 5*l.* The existence of this duty opposed a great obstacle to such transactions. The landlord might say to his tenant, "pay me the fine by instalments: I know you cannot afford to pay it at once, and I will take it as you can spare it;" but the stamp duty must be paid upon the nail. The consequence of a duty so disproportionate in amount to the value of the transaction, was to prevent conveyances being made in many cases in which they would otherwise be effected. He was desirous of knowing the actual amount of revenue produced to the Exchequer by this tax. He hoped that there would appear reason for reducing this duty? He would have it lowered (if not entirely remitted) to 1*s.* or 2*s.* 6*d.* on each conveyance. Again, if he had five acres, which he wished to dispose of in fee, say for a sum of 149*l.*, the stamp duty was 1*l.*10*s.* He wished to ascertain the produce also of that duty. There were few things from which land suffered more than from law transactions, as at present conducted. The law, or rather taxation, weighed most heavily upon it. He hoped to see these onerous and unjust imposts considerably lowered, or altogether done away with in the forthcoming financial arrangements. There was another point affecting landed property, which was also well deserving attention;—he alluded to the duty on policies of fire insurance. He would take the case of common insurances. He, or any other man, might not be wealthy enough to risk the chance of a fire upon his farm,and was accordingly compelled to insure his dwelling, farm, buildings, stock, &c. In 1815, the expense of a policy of common insurance was 2*s.* per cent, and the duty was 2*s.* 6*d.* (125 per cent on the insurance); but it was raised between 1815 and 1824 to 3*s.* (150 per cent on the insurance). Policies were now done at 1*s.* 6*d.*, the duty still continuing 3*s.*; so that the amount of the duty was actually double the charge of the offices which undertook to guarantee people's property from loss by fire. What was the consequence? Men of large property, who could afford to run the risk, did not insure at all. They said, "Here are persons willing to insure us for a sum upon which a duty of 200 per cent is added by the Government. We shan't pay it: we will take our chance." He was satisfied that if this tax upon fire-insurances were reduced considerably, the Treasury would be fully repaid, and all deficit prevented by an increase in the number and amount of policies, at the same time that there would be much greater security for property than at present. He might here observe, with reference to the first part of his statement, that the duty on conveyances of cottages was about 75 per cent on the amount generally demanded by landlords for the introduction of a new life into a lease. The duty upon conveyances of property, in fee simple, below the value of 150*l.* a-year, was also very burthensome. The noble Earl concluded by moving for "A return of the amount of Stamp-duties paid upon Conveyances of Lifehold property, under the annual value of 5*l.** Also for a return of the amount of Stamp-duties paid on Conveyances of property in Fee, under the value of 150*l.*" —Ordered.

* (The cottages in question seldom or never exceeded the value of 40*s.*, but he fixed 5*l.* in order to save trouble, and facilitate the making out of the account.)

STATE OF THE COUNTRY.—RELATIONS WITH PORTUGAL.—TURKEY.] Lord *Holland* said, since he came into the House, he had received a request from his noble friend (the Duke of Richmond), whose Motion for a Committee to inquire into the State of the Country, more particularly as regarded the employment of the labouring classes, originally stood for that day, but which had been put off in consequence of circumstances which must be to their Lordships a source of great regret, to give notice that his noble friend would submit his motion to their Lordships on that day week. Accordingly, he would do so, and would move that the House be summoned for that day.—Ordered. The noble Baron proceeded to say, that, seeing some noble Lords, members of his Majesty's Government, in their places, he wished to put two or three questions to them concerning the relations subsisting between this country and Portugal. He was the rather disposed to do so, as in the several communications made to Parliament, from time to time, respecting those relations, there seemed still to remain (notwithstanding all that had been said on the subject) a considerable degree of ambiguity. In order that noble Lords should fully understand the questions, it might, perhaps, be necessary for him to refer to the communications with which the House had been favoured on the subject. On the 28th of July, 1828, Parliament was informed, in the

Speech from the Throne at the close of the Session, that "his Majesty relies upon the wisdom of the august Sovereign the head of the House of Braganza, to take the course which shall be best calculated to maintain the interests and honour of that illustrious family, and to secure the peace and happiness of the country over which he reigns." At the opening of the Session of 1829, Parliament was informed, in the Speech delivered by the Lords Commissioners, that "his Majesty laments that his diplomatic relations with Portugal are still necessarily suspended;" and that, "deeply interested in the prosperity of the Portuguese monarchy, his Majesty has entered into negotiations with the head of the House of Braganza, in the hope of terminating a state of affairs which is incompatible with the permanent tranquillity and welfare of Portugal." Further, at the conclusion of the Session of 1829, it was stated by the Lords Commissioners, that "it is with increased regret that his Majesty again adverts to the condition of the Portuguese monarchy, but his Majesty commands us to repeat his determination to use every effort to reconcile conflicting interests, and to remove the evils which press so heavily upon a country, the prosperity of which must ever be an object of his Majesty's solicitude." Notwithstanding these repeated assurances Parliament was told at the commencement of the present Session, that "his Majesty laments that he is unable to announce to you the prospect of a reconciliation between the Princes of the House of Braganza;" that "his Majesty has not yet deemed it expedient to re-establish upon their ancient footing, his Majesty's diplomatic relations with the kingdom of Portugal; but the numerous embarrassments arising from the continued interruption of these relations increase his Majesty's desire to effect the termination of so serious an evil." From these communications their Lordships might collect that a negotiation was established between this country and the Emperor Don Pedro, with the hope of reconciling the conflicting interests of the different branches of the House of Braganza; and the conclusion was, that our hopes and endeavours had been disappointed—in fact, that the negotiation had failed. But since the delivery of the royal Speech at the commencement of the Session, some other circumstances had occurred which rendered it desirable to have a little more light thrown upon this subject. One of the circumstances to which he alluded involved a communication, which, although it might not be strictly regular to introduce and argue upon in their Lordships' House, must, nevertheless, be considered as having been made to Europe at large,—he meant the late Speech of the King of France to the French Chambers. In that Speech he found that the King of France informed the Chambers as follows on the subject of Portugal:—"I pursue at this moment, in concert with my allies, negotiations, the object of which is, to bring about a reconciliation necessary for the repose of the Peninsula between the Princes of the House of Braganza." This was somewhat different from the language held in the Speech delivered in that House at the commencement of the Session,—but this by the way: he proceeded to the questions which he had to propose to the noble Lord. His first question was this—Had the negotiation originally established between this country and the Emperor Don Pedro, in the year 1829, or the close of 1828, come to a conclusion; and if so, had it failed, or not? In the next place, he wished to know, with respect to the negotiation mentioned by the King of France in his late Speech to the Chambers, a negotiation undertaken "in concert with his allies," and pursued with similar views to our own in our negotiation, and, it might be, for some ulterior purposes,—were we parties to this second negotiation? and did we become parties to it with France in a secondary and subservient point of view, having failed in the negotiation which we undertook as principals. His third question regarded what was, perhaps, an equally irregular source of information, and an equally irregular ground of remark. However, he should proceed with his inquiry founded upon such grounds. It was generally understood by the public, that some of his Majesty's Ministers had elsewhere alluded, as a reason for refusing certain papers connected with the subject of our relations with Portugal, to the circumstance of negotiations upon that subject being actually pending, and to the possibility of such negotiations being prejudiced by the production of the papers required. He wished to know whether the negotiations stated to be pending, and urged as constituting a bar to the information demanded, were negotiations which we were pursuing in concert with, and under, France, with Portugal and Spain, or direct negotiations, undertaken upon our part with the government *de facto* of Portugal, with a view of arranging its recognition, and re-establishing our diplomatic relations with that government, as hinted at in the Speech from the Throne at the commencement of the Session? So much upon the subject of Portugal: but, since he was upon his legs, he might as well mention, that there was an apparent discrepancy between the French King's Speech and that recently delivered by the Lords Commissioners in that House with respect to the mode of alluding to the termination of the war between Russia and Turkey. It was stated in the Speech of the King of France.—"War has been extinguished in the East: the moderation of the conqueror, and the amicable intervention of the Powers, by preserving the Ottoman empire from the evils which threatened it, have maintained the equilibrium, and confirmed the ancient relations of states." He understood from the Speech of the Lords Commissioners that our Government felt satisfaction at the peace between Russia and Turkey, but he did not understand that that peace had been brought about by the intervention of his Britannic Majesty. The words of our Speech were, "His Majesty has seen with satisfaction that the war between Russia and the Ottoman Porte has been brought to a conclusion." Certainly these words did not bear out the notion of this country having been one of the powers to whose amicable intervention the preservation of the Ottoman empire, and of the balance of Europe, was brought about. He wished to learn whether there had been an accidental omission in the royal Speech of a statement of the fact of intervention on our part, or whether we were to understand that Great Britain had looked on indifferently upon the progress of the quarrel between Russia and Turkey, and did France interfere to preserve the Ottoman empire, and maintain the balance of Europe without us?

The Earl of *Aberdeen* replied, that the negotiation to which the noble Lord alluded, as having being entered into by us with Don Pedro, in the summer of 1828, was considered to be brought to such a close as deprived us of all prospect of a successful result with respect to it. In fact, no negotiation, in the proper sense of the word, could be said to have existed on that occasion at Rio de Janeiro, as Lord Strangford, our ambassador, was referred to London as the seat of negotiation. It was naturally enough considered inconvenient to carry on negotiations on both sides of the Atlantic at the same time, and upon the same subject. In point of fact, the negotiation which failed was carried on in London, and not at the Brazils. As to the negotiation of France, that was quite a different transaction,—it was one in which we certainly acted in concert with France, but by no means in a secondary or subservient character. Indeed, strictly speaking, it could hardly be called a negotiation. A communication had been made by us, in concert with France, with a view to accomplish the end adverted to in the French King's Speech—the repose of the Peninsula. As to "ulterior purposes," his Majesty's Ministers neither knew of them nor were parties to them.

Lord *Holland* wished to know concerning the "pending negotiations?"

The Earl of *Aberdeen.*—It could hardly be considered as a negotiation—a communication had been made by us, in concert with France and our allies, to Don Pedro—the subject was yet pending: it was impossible to say more on the point. With respect to the subject of the declaration supposed to have been made by some members of the Government to the effect that, in consequence of pending negotiations, certain papers could not be laid before Parliament, he must observe that, assuming this statement to have been made, nothing could be more true than that while negotiations were pending, it must be impossible to produce papers relating to such negotiations; and when the time came for producing them, probably the noble Lord would see very good reasons why they were at the present moment withheld. This he said in reference to the general principle of not disclosing prematurely the subject of negotiations which were in progress; but he did not know that any such declaration as the noble Lord appeared to imagine had, in fact, ever been made in reference to the present proceedings. What he understood was, that the papers in question had been refused on the ground that their production might be injurious to a numerous class of persons about whom every one felt naturally interested. He thought it was more with the view of avoiding the possibility of running this risk, than in reference to present negotiations (which were only thrown in as an additional argument), that the documents had been refused. They were not produced lest they should prove injurious to the prospects of those in whom the noble Lord was himself deeply interested. With respect to that paragraph in the speech of the King of France which referred to "the amicable intervention of the powers" for the preservation of the Ottoman empire and the balance of Europe, he could assure the noble Lord that our intervention was most unceasing in the course of the contest, and went to urge, in the strongest mannner, upon both parties, the necessity of adopting conciliating views, while we endeavoured all in our power to forward negotiations of peace between them. What effect our remonstrances might have had he could not pretend to say: he hoped it would appear, if their Lordships looked at the termination of the contest, that neither party had neglected them. He must, however, admit that the Turks had long continued obstinately determined to proceed in their own way, and that they appeared to yield at length to the urgency of their situation rather than to the urgency of our remonstrances or to any thing else.

Lord *Holland* said, he was not prepared at that moment with any notice of motion on the subject of our proceedings in reference to Portugal. However, he wished to make one or two observations upon what had fallen from the noble Lord. In answer to the first question proposed to him, the noble Earl stated, that the negotiation entered into between this country and the head of the House of Braganza, took place, not at Rio de Janeiro, but at London. He did not care which way it might be, but as to the fact that "His Majesty has entered into negotiations with the head of the House of Braganza, in the hope of terminating a state of affairs which is incompatible with the permanent tranquillity and welfare of Portugal," as stated in the Speech from the Throne, at the commencement of the Session of 1829, his wish had been, to ask the noble Earl whether he considered those negotiations as completed and concluded; and he understood the noble Earl to say, that they were concluded, and that another negotiation, undertaken by us in conjunction with, but not under, France, was to be considered a separate and new negotiation.

The Earl of *Aberdeen* said, the noble Lord did not appear fully to understand him, and had rather misinterpreted what he had said. The present negotiation, or communication, could hardly be considered as an entirely separate and new one, because it had the same object in view as the original negotiation. What he wished the noble Lord to understand was, that our original negotiation with the Emperor Don Pedro had arrived at such a state that there was little prospect of its successful issue. The present negotiation, which we had undertaken in concert with France, was in continuation of the previous one which we had conducted by ourselves, and could hardly be considered a separate negotiation, although undertaken in direct concert with France and our other allies. It was true that before, although acting with a perfect feeling of unanimity and concert with other powers, we acted by ourselves, and that now we were acting in direct concert with our allies, still it was for the attainment of the same object as we originally had in view.

Lord *Holland* said, he was to understand, then, that France was no party to the negotiation originally, and that she was a party to the present negotiation. He would ask, was Spain a party to this negotiation? The noble Earl talked of our having undertaken the negotiation in concert with our other allies. He therefore wished to ask whether Spain was a party?

The Earl of *Aberdeen* replied, that the Court of Spain was no party to the negotiation. He might also as well observe, that the Court of Austria was a party, and that throughout the whole of the negotiations France had full cognizance of all that had been done by us from the very first, although she had not, until recently, acted prominently in the matter, and in direct concert with this country.

MARRIAGES' VALIDATING ACT.] The House went into a Committee on this Bill, on the Motion of the Bishop of London.

Lord *Holland* wished to return his thanks to the reverend Prelate who had introduced the Bill, the principles and enactments of which, generally speaking, met with his warm approbation. It was very disadvantageous, very galling, particularly where property was concerned, to leave the authority uncertain by which marriages could be rendered valid. He believed that much inconvenience had arisen for want of an enactment like the first clause, and he had to regret that it had not been made prospective as well as retrospective in its operation. It would have been desirable that a method should have been found, to render the marriages therein described valid when contracted in future. To the second clause he had no objection; the wording of the third clause he thought somewhat vague. He should like to see it stated why "banns could not be legally published in certain chapels." Like the first clause, too, the benefits of this were all for marriages already contracted, and no provision was made for future marriages of the same description. The act would not, indeed, legalize marriages contracted in chapels where banns could not be legally published; but these chapels should be so described as to leave no doubt on the subject. The fourth clause, relating to marriages celebrated in chapels of which the consecration was doubtful, wanted an additional enactment, to put an end to all doubt, as to what was or what was not a legally consecrated chapel.

The Bishop of *London* said, if the noble Lord's suggestions were acted on, some of the most important clauses of the Marriage Act would be nullified. By that it was provided, that the marriage should take place where the banns were published. It had been his object to provide a remedy for doubts in past cases of inadvertence: but he would not be a party to remove the obstacles to clandestine marriages. The noble Lord was not perhaps aware, that the last clause of the Bill related only to one chapel, and that might be more particularly described. As the law stood, the bishop of a diocese had the power, with the consent of the incumbent, to authorise the publication of banns in any consecrated chapel; but he wished to give the bishop the power independently of the incumbent. He believed that at Macclesfield, which contained from 20,000 to 30,000 inhabitants, most of them had to go four miles to a chapel because the incumbent refused to allow the banns to be published in any other.

Some verbal amendments were then agreed to, and the Bill ordered to be read a third time on a future day.

HOUSE OF COMMONS.

Thursday, March 11.

MINUTES.] Mr. NEELE took the Oaths and his Seat, as Member for Gatton. Petitions were presented, praying for the repeal of the Duties on Coals carried coastwise: Against the Leather Duties: Against the Malt Duty: For a Reform in Parliament: For the Abolition of Slavery: For the Emancipation of the Jews: Against the Truck System: Against the late Change in the Currency: And praying for the removal of the India Company's Monopoly.

Returns were ordered on the Motion of Sir THOMAS FREEMANTLE of Money demanded at the Exchequer by High Sheriffs of each County of England and Wales, for extra expenses in 1828—1829, and of the sums granted by the Exchequer:—On the Motion of Mr. WODEHOUSE, of the average Prices of Corn in England and Wales for the ten years ending with 1829:—On the Motion of Lord F. L. GOWER, of the Expenses of various Public Establishments in Ireland, and of the Miscellaneous Estimates for Ireland.

Returns were presented of the number of Vessels employed in the Trade of the United Kingdom for 1829: Of the money paid for the management of the National Debt: Of balance of Public Money in the hands of the Bank of England at different periods: Of the last report of the National Vaccine Establishment: Of the twenty-second Report on Charities: Of processes issued and the commencement of Writs in the Courts of Great Sessions of Wales during the last ten years.

FORMS AND ORDERS OF THE HOUSE.] Mr. *Lawley*, in presenting three Petitions from individuals against the London and Birmingham Junction Canal Bill, complaining that their names had been improperly inserted in the subscription-list, observed, that so many irregularities had been committed in the management of the Bill, and so many of the Standing Orders of the House had been violated, that he wished these Petitions should be referred to a Committee to examine their allegations.

The *Speaker* explained, that the rule of the House was, to give leave to bring in a private bill, after the petition praying for leave to bring it in had been referred to a committee. It was the duty of the committee to ascertain that the Standing Orders had been complied with. A petition against the principle of a bill might be received at any stage, but petitions against its details were always referred to the committee after it had been read a second time. In this case it appeared, as the Bill had been read a first time, that it must have been referred to a committee, which had reported that the Standing Orders had been complied with. If the hon. Member were prepared to show that the committee had been imposed on, the House might reject the Bill.

Mr. *Lawley* said, he understood that the petitioners were prepared to prove that the Standing Orders had been evaded.

Mr. *Littleton* suggested, that the safer course would be, to adhere to the rules laid down by the House.

The *Speaker* stated it to be his opinion, that the case could not be passed over, though there was a difficulty in saying what was to be done, as it could only be referred back to the committee which had already decided that the Standing Orders had been complied with.

Mr. Alderman *Thompson* said, he had a Petition to present from several individuals, complaining that their names had been inserted in the list of approvers of the Bill without their consent. That appeared to him an unwarrantable infringement on the rules of the House, which could on no account be passed over.

The *Speaker* said, as there was no breach of privilege, and no irregularity in the forms which had been followed, he was at a loss to know to what committee it could be referred for investigation.

Mr. *Littleton* said, that until last year, when the regulations then made limited the time of presenting petitions complaining of irregularities, with respect to the Standing Orders such a petition might have been presented at any time. If the House were once to open a door to vexatious proceedings, by infringing those regulations, the consequence would be, that attornies in a late stage of the proceedings, point out some irregularity as to the Standing Orders, with a view to stop the progress of a bill to which his clients were opposed. He admitted that the case of the petitioners was a hard one, but he thought it would be still greater hardship, if the rules of the House were departed from.

The *Speaker* explained, that up to the Session before last, a petition might be presented against a private bill at any stage of its progress through the House, complaining that the Standing Orders had not been observed. That power, however, was frequently abused, and petitions presented at a late stage of the measure, in order to frighten the party promoting it, or increase his expense. To guard against this, the House ruled that no petition should be received complaining that the Standing Orders had not been complied with, after the first reading of any private bill. This regulation was, however, found to go too far, and in practice, as a private bill was generally brought in when a Committee reported that the Standing Orders had been complied with, to operate as a complete bar against all petitions. To remedy this, the time of petitioning was extended to the second reading of a bill, because that allowed the parties opposing the bill an opportunity of petitioning against it, on account of the Standing Orders not having been complied with before the party promoting it had been put to much expense. By that rule the House was then guided, and he did not see how it could be departed from without causing great inconvenience.

Mr. *Hume*, who said he had proposed the Resolution just referred to, was of opinion that it did prevent vexatious opposition, while it gave a means of redress. If it were made out that names and sums had been put down without any authority, that, by the rules, of the House would justify throwing out the Bill.

Mr. *D. W. Harvey* said, that the allegation was, that a false subscription had been deposed at the Private Bill Office, which was a fraud. If it were proved, though he did not accuse Mr. Eyre Lee, or any other gentleman, the Bill ought to be instantly rejected, and an inquiry set on foot as to its author. One of the allegations of the petition was, that the name of a person appeared in the list of subscribers for 1,000*l.* who was not, as he knew, worth any such sum.

The petitions presented by Mr. Lawley were then orderred to be refered to the Committee on the Petition for the Bill.

Mr. Alderman *Thompson* then presented a Petition from several persons, complaining that their names had been put down as subscribers to the same Junction Canal Bill, when they had never subscribed a single farthing. The list deposited in the Bil Office, they stated, was false; they therefore prayed that the House would institute an inquiry in order to find out the authors of this subscription-list, and that they might be heard by counsel at the Bar against the Bill. He had seen the subscription-list, and could assure the House, that the names of many persons were down as subscribers for large sums, whom he knew to be quite unable to pay any such amounts.

Mr. *Littleton* deprecated the discussion, which was all *ex parte* and quite needless, as the petitions would be referred to a committee. Mr. Eyre Lee, whose name had been mentioned, was then in Worcestershire, discharging his duty as sub-sheriff, and though he knew nothing whatever of the facts of the case, he could answer for that gentleman being ready, on his return, to meet any charge that might be made against him.

Mr. Alderman *Thompson* said, he had no wish to hurry forward an inquiry in the absence of that gentleman. He had no doubt of Mr. Eyre Lee's respectability, but he was not more respectable than many of the subscribers to the petition, which he had presented. He would move that the petition be referred to the same committee, which he had no doubt would give Mr. Eyre Lee an opportunity of vindicating himself.

Mr. *D. W. Harvey* said, that what the petitioners complained of, the House was bound to inquire into. It was of such a nature that it was not to be overlooked. He had no object in pressing the inquiry but to do justice, and he hoped that Mr. Eyre Lee, and the other parties, would be fully heard in their own defence. He could not avoid regretting, however, that the hon. Member for Staffordshire had not evinced the same desire for parties to be heard, when he (Mr. Harvey) presented a petition from an individual against a measure by which his interests were affected.

Mr. *Littleton* thought, that his conduct on that occasion needed no justification, and that he was bound to move a resolution, declaring that it was improper for a person to be both judge and attorney in the same cause.

Sir *John Wrottesley* knew nothing of the particular case, but he wished that every Englishman, when accused, should have a fair trial.

Mr. *Lawley* said, that it was not his intention that the committee should proceed in the investigation till Mr. Eyre Lee was present. He did not implicate Mr. Lee, or any other person, but would leave the matter entirely to the committee.

The petition presented by Mr. Alderman Thompson was also referred to the committee.

Mr. *Benson* presented a similar Petition from thirty-six individuals. They had applied for shares in the canal, but had never received any answer. They had never paid any deposit, and many of them said they were unable to pay the large sums placed against their names. He thought these were matters that required serious investigation, and he should move that the petition be referred to a committee. He wished, as well as the hon. Baronet, not to condemn a man unheard, and he should be ready to assist Mr. Eyre Lee in making his defence; but if he could not defend himself, it would be his painful duty to uphold the dignity of Parliament, and bring the offender to account.

Mr. *Littleton* said, that the Standing Orders at present did not require the christian names of the parties to be inserted, which sometimes led to mistakes. Perhaps the Standing Orders ought to be altered in that particular.

Petition referred to the Committee on the Bill, which was revived.

LICENSED VICTUALLERS.] Mr. Alderman *Thompson* presented a Petition, signed by 1,100 persons engaged in the sale of beer, by retail, in London, praying that the House might not consent to throw open the trade in Beer. He was aware, he said, that the House was disposed to take off the restrictions on trade as much as possible, and in that, as a general principle, he cordially concurred; but he thought the House ought to pause before it took a step which might not benefit the public, but would certainly be a most serious injury to persons carrying on the trade of Licensed Victuallers. The number of persons engaged in the trade of selling beer by retail in the metropolis, meaning only licensed victuallers, was 4,300, and the houses they occupied, at the lowest average, were worth 250*l.* a-piece to their owners; but which, if the trade in beer were thrown open, would not be worth any thing. There then was a loss to this body of individuals exceeding 1,000,000*l.* sterling without any corresponding benefit to the public. A measure involving so serious a loss to any set of men ought not to receive the sanction of the House, unless it were required by some great and paramount interest. The sale of beer had been greatly reduced of late years by the reduction of the duty on wine, spirits, and coffee; and if duty to the same amount were taken off beer, the consumption would probably be increased in proportion: but it was absurd to suppose that Government would increase the consumption by increasing competition among the sellers. The duty was so high, that all the retailer could get as his profit was 1*d.* per pot, out of which he had to pay rent, taxes, and all other expenses; so that it was utterly impossible the public could get it cheaper by open sale unless the duty was reduced. He therefore begged to caution those hon. Members connected with the landed interest, who were willing to support the throwing open the trade in beer, under an idea that it would benefit them by an increased consumption of malt, that it would do no such thing. Nothing would effect that but a reduction of the duty on malt and beer. If the duty were removed, beer would enter fairly into competition with wine, and spirits, and tea, and the quantity consumed would probably increase. If it were said that the value he had ascribed to these houses was fictitious, he would answer, that this fictitious value was the result of our excise laws, which had been more than a century in existence, and the petitioners had embarked their property in the trade, perfectly ignorant that these laws were to be abrogated. The petitioners prayed to be heard by themselves or by counsel against the Bill, which would plunge their families in ruin.

Mr. Alderman *Wood* supported the prayer of the petition, and said that it was not an over-value to fix the loss which throwing open the trade in beer would occasion to the publicans of the metropolis at 2,000,000*l.* His hon. colleague had understated it. There were upwards of 4,000 licensed victuallers in the metropolis, and their houses were, he thought, on an average, worth double the amount stated by the former speaker. Let the duty be first taken off malt and beer, and then, perhaps, the trade might be thrown open, but to do it at present would ruin those engaged in it, and give no benefit to the public. By the abolition of the duty, the prices would probably fall to three pence a pot, and the increased consumption would make up for the smallness of profit. At present the amount of business was so small, and the profits so little, that the publicans could hardly get a living. Already the trade had been opened to a certain extent by the establishment of houses for the sale of intermediate beer, which had inflicted a serious injury on the licensed victuallers. He supposed that Government did not intend to allow the trade to be carried on without a license, and if they did not, they would only divide a trade, that was now too small to subsist those engaged in it, among double their number. The tax on malt and beer was one of the most unjust that ever was yet devised, because the whole weight of it fell upon the poor. It really was monstrous that the poor should drink their beer at a charge of 150 or 160 per cent above the absolute value, while the rich drank their claret at only twenty-five per cent beyond its first cost.

Sir *J. Newport* objected to the practice of urging vested interests against any measure of this kind, intended for the public benefit. It was absurd to talk of vested interests in a trade carried on under a law which might at any time be varied for the public good. If the trade were so little profitable as was said by the hon. Alderman, those who now carried it on had no occasion to fear much competition; for few persons would be absurd enough to embark in a trade which would bring on their ruin. If there were no profit, however, why were the publicans so anxious to secure their monopoly? He was persuaded that such a measure would do a great deal of good, and if the Government persevered in its intentions, he would give them all the support in his power.

Mr. *G. Dawson* said, that he was disposed to give every consideration to the prayer of the petitioners; but he thought it would be attended with great inconvenience to allow the parties to be heard by themselves or counsel before the committee then sitting to inquire into the regulations under which beer was sold. Such a course would only tend to bring before that committee very exaggerated statements, and would delay its proceeding without contributing to the discovery of truth. It was to be hoped that hon. Members would not be so far carried away by the heat of debate as to enter on a desultory, irregular discussion on the merits of a question, at a time when it could possibly be productive of no eventual good, but would content themselves with providing evidence that might be laid before the committee, and reserve their arguments for the proper place, where they could be fairly sifted and turned to account. The committee sitting upon the subject above stairs, he had no doubt would be disposed to pay every attention to the representations of a body so respectable as the petitioners.

Mr. *F. Buxton* concurred in thinking that all exaggerated statements ought to be avoided. He should not have said one word on the subject, had not the hon. Baronet indulged in some remarks which might better have been spared, as they were totally uncalled for. He did not intend to advance any thing in vindication of the monopoly of brewers, although a brewer himself; but he would say, that the present system of excessive taxation bore very hard upon the publican. People did not appear to be aware of the amount to which the beverage of the poor man was taxed; and nothing could so well demonstrate the grievance alluded to as a statement of the rate at which the consumers of beer paid for their humble enjoyment, compared with the tax imposed on the luxuries of the rich. Those who regaled themselves on champagne paid a duty of only twenty-seven per cent; those who drank claret paid twenty-eight per cent; those who took port paid fifty-six; but the consumers of beer were mulcted to the amount of 165 per cent. Again, gentlemen consumed malt at 20*s.* per quarter, while the poor man was constrained to pay 55*s.* A reduction of one-half had been taken off the duty on spirits, but no corresponding concession had been made in the article of beer, which was peculiarly the accompaniment of the poor man's recreation. These were evils which could be removed by the reduction of taxation only; not by the abolition of the monopoly. That would not prove any remedy whatever, unless the House at the same time abolished the duties both on malt and beer. He did not complain as a brewer, but he was convinced that many publicans, men who had embarked their whole capital in their trade, would be ruined. If the public good required any alteration of the present system, he hoped that the House would not stop short until it carried the principles of free trade into full effect throughout the whole system of our legislation. Let the brewers buy both hops and corn in foreign markets, wherever they could get them better and cheaper than in our own; and one of these articles, hops, was much cheaper abroad than at home. The case of the publicans was undoubtedly one of much hardship; they could live under the present system, or they might be able to live under a system of perfect freedom; but a system of half favouritism and half freedom would be injurious to all classes.

Mr. *C. Barclay* acknowledged that that was not a proper occasion for entering on the discussion, as all parties would have an opportunity of making their sentiments known to the committee, who, he was sure, would pay due attention to their statements, and act between conflicting interests as justice might dictate. He believed that Ministers meant to act fairly by all parties, but many industrious individuals, he feared, would be overwhelmed with distress, if not with ruin, if the existing system were very considerably and suddenly altered. Why the right hon. baronet had made such an attack on the publicans he did not know, unless it were because he came from a country in which there was no beer. He assured that right hon. Gentleman, that the people whose interests he seemed to value so lightly were generally persons of great industry and economy, who from small beginnings had attained to independence.

Mr. Alderman *Thompson* in moving that the Petition be referred to the committee thanked the Secretary to the Treasury (Mr. G. Dawson) for his candor on that occasion. When the House recollected the great stake the petitioners had in the inquiry, it would not be surprised that they should be anxious that their interests should receive due consideration.

Petition referred to a committee.

DISTRESS AND REFORM.] Sir *F. Burdett* presented a Petition from the Manufacturers and Shopkeepers of Coventry, complaining of Distress, and praying for a Reform in Parliament. The hon. Baronet said, he perfectly concurred in the sentiments of the petitioners.

Mr. *Fyler* declared his conviction, that the parties to this petition were suffering under most overwhelming distress. He did not take offence on account of their not having intrusted it to him, but should have candidly stated, had he been so honoured, how far he agreed with them, and how far he dissented. They prayed, as he was informed, for annual parliaments, election by ballot, and universal suffrage, on none of which points did their opinions coincide with his own. With respect to their desire for introducing ballot, he could never be brought to approve that American, or rather dark Italian system of election, but he could give his hearty support to a temperate and gradual reform. He agreed with that part of the petition which represented the retail dealers as being in extreme distress. He knew they were so generally in the country, whatever they might be in town, and he was amazingly surprised to hear from high authority, that they were flourishing and prosperous. In his opinion, the true and only remedy for distress was relief from taxation, and for that he would vote, though he would not lend his name to swell ministerial majorities, nor to give importance to factious opposition.

The Petition was read, and ordered to be printed.

SLAVERY.] Mr. Jephson presented a petition from a Mr. Johnston, praying for the abolition of Slavery in the West Indies.

Mr. *O'Connell*, in seconding the motion of his hon. friend for bringing up the petition, said, he did not think the House was taking all the steps it might for the abolition of Slavery in the West Indies. He was willing to admit that in those colonies which had no legislatures of their own, being under the immediate control of the Crown, something had been done for ameliorating the condition of the slave-population. Where, however, there happened, unfortunately for the poor negroes, to be a colonial legislature, the condition of those unhappy beings remained unchanged. He could not let that opportunity pass without expressing his deep abhorrence of a system which subjected one human being to the lash of another; a system repugnant alike to the best feelings of humanity, and to the dictates of sound policy.

The Petition to lie on the Table.

EAST INDIA COMPANY'S MONOPOLY.] Mr. *Poulett Thomson* said, he had to present a Petition from individuals whose wealth, influence, and respectability placed them on a footing of equality with the highest classes of their fellow-subjects, and entitled their sentiments on all subjects, but more especially on that which was involved in their petition, to the most earnest and respectful attention of the House. It related to the monopoly of the East-India Company, in reference to which they held but one opinion, and that was embodied in the petition which he had the honour to present. It was not necessary for him, on that occasion, to say any thing of his own sentiments, he would merely state the views which were taken by the petitioners. He was gratified in having an opportunity of doing so, as it had been industriously represented that the merchants of London, who were concerned in the East India trade, had separate interests, and entertained separate opinions, quite different from those already so generally expressed by the merchants of the outports. The petition in his hand fully refuted those assertions, and proved that the London merchants made common cause with the parties to former petitions, and perfectly coincided in their sentiments with the merchants and manufacturers at the outports.

The petitioners, said Mr. Thomson, are merchants and agents connected with the trade of the East Indies, resident in London; and they state,

"That they are deeply interested in the inquiry now pending in your hon. House 'into the state of the Trade between Great Britain, the East Indies, and China,' as connected with a renewal of the Charter to the East-India Company.

"That it is their opinion, from the experience obtained since the opening of the trade to the East Indies, by the 53rd of George 3rd, and subsequent acts, that the manufacturing, shipping, and commercial interests of the United Kingdom have derived very important advantages therefrom.

"That they confidently rely that, in any renewal of the Charter of the East India Company, due provision will be made to allow such free intercourse of British subjects with India, and to give to them such right of settling therein, as shall (consistently with the security of the British Government, and the welfare of the native population) be best calculated to promote the full development of the internal resources of that country, and, by the application of British skill and capital, improve its various products, especially those of sugar, cotton, silk, and tobacco; these being the principal means by which, in the opinion of your petitioners, a further extension of the valuable trade with India, now obstructed by the difficulty of obtaining returns, may be facilitated.

"That, adverting to the fact of the Government of India having recently imposed a heavy and most vexatious burthen on the commerce of that country, through the operation of the 'Stamp Regulation,' it is, in their opinion, due to the commercial interests of India that the trade should be at once relieved from that burthen, and protected against the imposition of any tax whatever by the local government, without a fair opportunity being afforded to all parties affected thereby of canvassing its merits and provisions, and of submitting to the Government such objections as they may entertain to the measure, previously to its acquiring the force of law.

"They further state, that it is their opinion, supported by the personal experience of many of them, that commercial dealings, on the part of the Government of India, whether as merchants or manufacturers, are destructive of fair competition, and are, in consequence, calculated rather to depress than excite commercial enterprise through the countries subject to their dominion. It is, therefore, most important to the mercantile prosperity of India that the government of that country should be entirely restricted from all commercial dealings, save and except, in reference to the export trade from India to Europe, it be absolutely necessary to buy produce in open market, for the purpose of remittance in aid of the territorial demands on the London treasury, when no other means of supply can be obtained."

The petitioners add, however, "That, whilst they express this opinion as to the bounds which should be set to the commercial interference of the government of India, they desire to be distinctly understood not to uphold the usefulness or necessity of even such limited transactions, believing as they do, that the condition of India will, under a free and open competition of commerce, afford further proof to the experience furnished by all other countries in the world, that the work of remittance can be best performed by means of the industry, intelligence, and economy of merchants individually interested in the result of their undertakings.

"The petitioners further say, that they refrain, at this time, from making any declaration on the important question of the monopoly in the supply of tea to this country, now vested in the East-India Company, because, in their opinion, that subject is interwoven with various other considerations, besides those purely commercial, which render a full investigation indispensably necessary for establishing a fair and just decision as to the course which it may be wise to pursue in furtherance of the common interests of the country.

"But, pending the consideration which is now giving to this most important object, the petitioners say they cannot withhold the expression of their opinion that the interests of British merchants, ship-owners, and manufacturers, ought not to be any longer disregarded in relation to the commerce of China; nor the expression of their hope, that merchants of this country shall be no longer excluded from the exercise of their skill, and the employment of their capital, in a lucrative branch of the commerce of the world, open to all other nations of Europe and America, whilst the exclusion of the private merchants of the United Kingdom has, without producing any corresponding benefit to the East-India Company, had the direct effect of checking the general commerce of the country, and narrowing the consumption of its manufactures.

"These being the views," said Mr. Thomson in conclusion, "which the petitioners entertain on this important subject, they pray your honourable House will adopt such measures as may afford greater facilities for the extension of the trade with India and China, promote its general prosperity, and conduce to the improvement and welfare of the vast population of the British territories in the East."

He had read the Petition, he then stated, at full length, in order to shew that the petitioners entertained the same opinions as the large body of merchants throughout the country, who were by their petitions calling on Parliament to do away the East-India Company's monopoly.

Mr. *Huskisson* stated, that he was about to present a Petition, very numerously and respectably signed, praying that the East India Company's charter might not be renewed. The signature of every merchant, every banker, and every ship-owner in Liverpool was affixed to this petition, and the petitioners were in number about 7,000. That was not the time for debating such a subject, as it could be more fitly discussed in the committee to which the petition might be referred; but he would merely observe, that exclusive privileges in these days were out of fashion. Although he did not mean to make a particular application of his remark to the East India Company, he would not scruple to affirm, that more industry would have been called into employment if monopoly had never been in existence.

General *Gascoyne* said, he had another Petition of the same sort to present. He hoped that when the question came to be discussed, they would not be met with an argument founded upon the immense capital which the Company invested in their concern and the business of their trade. He was afraid, however, that it would be said—What! do you propose to take away the trade with China, without enabling them to pay their debt? Such an argument might be valid if the Company had paid off any debt while it had the trade all to itself, but it happened that the debt of the Company had increased since 1813, from 7,000,000*l.* to 40,000,000*l.* He hoped also, that in the coming discussion, they should hear nothing of vested interests in the maintenance of a monopoly. The petitioners, he observed, did not interfere with the political management of India; all they asked for was commercial freedom. For his own part, he was quite at a loss to understand upon what ground it would be sought to continue the monopoly of the China trade. The interests of millions were not to be sacrificed for the sake of two or 3,000.

Mr. *Astell* rebuked the hon. and gallant officer for having indulged in some exaggerated statements. In the committee the question, he hoped, would rest only on its own merits, and be decided on the principle of justice, apart from the consideration of the relative units, whether millions or thousands, on the one side or the other, and without reference to the exaggerated statements which were every now and then made to the House.

The Petition to be printed.

Mr. *Huskisson* presented a similar Petition from the Liverpool Dock Company.

RADICAL REFORM.] Mr. *O'Connell* said, he had two Petitions to present, praying for a Radical Reform in that House. He feared that the position for which the petitioners contended was likely to meet with but little favour in that House; but, in his opinion, and he had little hesitation in stating that opinion, the reform of the House was a debt due from Parliament to the people—that was an assertion which he advisedly made, and which he felt bound to sustain, as well from a deep conviction of its truth, as from the additional reason for sustaining it, which he derived from the solemn pledge upon the subject which he had given to his constituents, and which formed one of the conditions upon which he had accepted the situation of one of their representatives. One of the petitions which he had to present on this subject, was from certain inhabitants of Ireland; the other emanated from a meeting held in London, where no less than 30,000 individuals were present—it was a meeting at which the utmost order and decorum prevailed—it was conducted in the most regular and peaceable manner—he was sure with the most loyal intentions—he knew with the most perfect unanimity. The Petition prayed for Radical Reform: it came from 30,000 British subjects, who considered that that House of Parliament ought not to be an instalment of the other House—that the people of England ought not to allow themselves to be made the property of an oligarchy. He had the highest respect individually for many of those who commanded seats in that House, but he could not shut his eyes to the usurpation of popular privileges of which they were guilty. The petition which he had to lay before them from Ireland, bore two thousand signatures; and with the permission of the House, he would briefly and rapidly go through the statement and prayer of that petition. It contended, in the first place, that all persons under the degree of a Peer, had a right to be represented in that House; that no Peer was entitled to interfere in elections of Members to serve in that House; that it was robbery to levy taxes upon any class not duly represented there; and that it would be murder to put any man to death under laws enacted by a Parliament in which the suffering party was not duly represented; that when not represented, the people of this realm were deprived of their rights; that no single person ought to be allowed to nominate to seats in that House; that it had become a matter of notoriety these seats were bought and sold; that there could be no purity of election without election by ballot, and without radical reform; it called attention to the fact, that the poor were taxed to the extent of 120 per cent, and the luxuries of the rich only to 27 per cent. From this they inferred, that the people were not fairly represented in that House; for, if they were, a principle of greater humanity might be expected to prevail, and the interest of the poor would be more attended to. These petitioners, he observed, obeyed the unconstitutional law, by which a Lord-lieutenant in Ireland was enabled to disperse any such meeting. They accordingly did not meet; but the petition bore the signatures of two thousand persons. The other petition, to which he should as briefly advert as to the former, came certainly from a meeting composed of not less than 30,000 individuals. It was voted by that meeting unanimously voted, but it bore the signatures of only ten, and as the petition of those ten he knew it must be received. The petitioners stated that, owing to the existing distress, their industry had become useless, and that there existed no prospect of relief—that they attributed the distress under which they laboured, in a great degree, to the long, bloody, and disastrous wars which a venal Parliament led the Crown to carry on, especially those against the independence of America and the liberties of France, by which a debt of 500,000,000*l.* was contracted, and an accumulation of fiscal laws and regulations brought upon the people, which offered to industry the most serious interruptions. They prayed the House to restore the efficacy of Magna Charta and the Bill of Rights, and to secure for the people of England those rights and privileges which every King of England had sworn to maintain from Edward 1st to George 4th. It prayed further that in any alteration which the House might make in its own constitution, it would secure to the people the right of voting by ballot, as the most effectual means of preventing bribery; for the secrecy of a ballot set bribery and intimidation at defiance.

The two Petitions to be printed.

THE POOR OF IRELAND.] Mr. *Spring Rice* rose, he said, to bring forward, pursuant to notice, a Motion for the appointment of a Select Committee to take into consideration the state of the Labouring Poor of Ireland, and the best means to improve their condition. The hon. Member adverted, in the first instance, to the discussion which had taken place upon the subject last Session, when it was brought under the notice of the House by a friend of his, who was no longer a Member—Mr. Villiers Stewart. Though he (Mr. S. Rice) did not fully concur in the resolution submitted on that occasion by his hon. friend, yet he was sure that if Mr. Villiers Stewart had continued a Member of that House to the present time, he would not have objected to the Motion with which he then intended to conclude, namely—"that a Committee be appointed to inquire into the state of the Labouring Poor in Ireland." After much regretting the absence of Mr. Villiers Stewart, and pronouncing a warm eulogium upon his character and talents, he went on to say, that though he and that gentleman essentially differed as to the means of effecting an improvement in the state of the labouring poor of Ireland, yet they were animated by the same spirit, and anxious to bring about similar results. They now came to the consideration of the state of the Irish poor, free from one of the great difficulties and impediments which had heretofore interrupted the consideration of any measures for the improvement of Ireland—he alluded to the religious dissensions which had so long distracted that country, and which were now so happily terminated. He had understood from the noble Lord opposite, that no objection would be made to the appointment of a committee, and he should therefore have limited himself to the mere terms of his Motion, had he not been apprehensive that his views and intentions might be mistaken in Ireland; and that in that House persons might support his Motion from misunderstanding the object he meant to keep in view. He desired to entrap no votes and no support on any false views, and therefore he meant, with the permission of the House, to enter into an explanation at considerable length. The first proposition which he meant to establish was, that there existed a case for inquiry, which no one who had paid the slightest attention to the evidence laid upon the Table of the House, upon the subject of the Irish poor, could doubt. In fact, all admitted that such a case existed. The next object, after acquiring information, was to found on the information some practical measure. If the House approached the inquiry, and came to a decision in a temper of moderation and discretion, he had no doubt that such a practical measure would be the beneficial result. It had too often happened, indeed, that measures like that he proposed had ended in nothing; but should the inquiry be determined on, he begged to assure the House that he would do all in his power that the labours of the committee should not be allowed to become a dead letter. It was the saying of an ancient sage, that Hell was paved with good intentions, and it had but too often been the practice of that House to appoint committees to examine witnesses, to make reports—most wise, and prudent, and rational—but those reports were made only to be neglected and forgotten. There was already before the House a great mass of evidence upon the subject of the people of Ireland, which he should, in the first place, beg leave to refer to the committee; and then he should wish that the committee be desired to extend the inquiry as far as might be necessary for bringing the information down to the present time. He hoped that the effect of that inquiry would be to disprove the exaggerated statements which they were every hour in the habit of hearing with respect to the state of Ireland, and the distress prevailing in that country. He did not deny the existence of distress, and very considerable distress in Ireland, but he altogther denied that the distress existed to the extent which had been stated in some quarters. It was decidedly his opinion, that the poor of Ireland were by no means in a condition of such distress, relatively to those above them, as the English poor were, though it was very much the practice to speak of the sinking and depressed condition of Ireland. He begged briefly to call the attention of the House to the exports of that country to England, and he should confine himself to a single case. Exactly a century before the time he was speaking, Sir Charles Whitworth stated—and he was considered good authority—that the exports of Ireland to England amounted annually to about 287,000*l.* That statement was written in the year 1729. Now the exports from a single city (Waterford) that which his right hon. friend near him represented—amounted to no less in a single year than 2,163,000*l.* There was reason to believe that capital was accumulating in every part of Ireland, and he believed that many of the gentlemen in that House connected with the banking concerns of Ireland could bear testimony to the improving condition of the commercial portion of the Irish people in other ways besides the exports to England. He confidently looked forward to a period of greater prosperity for Ireland than ever she had before experienced. Already he was able to trace a great improvement in the condition of the people, of which he would mention an example. In 1827 the number of persons admitted into the fever hospital at Limerick was 2,780; in 1828 it was 2,920; while, in 1829, it was fortunately diminished to 692. As disease and poverty generally went hand in hand, he did not know that he could quote a stronger proof of the improved condition of the people, and that the distress, though it was very severe, was not last year equal to former years. The hon. Gentleman then briefly adverted to the condition of the labouring poor in Killarney, among whom, he said, the Earl of Kenmare expended 5,000*l.* annually, finding them employment; to the numbers living by mendicity in Bandon, who, he said, were 2,590; in Cork, where many were in a state of destitution; and in Dublin, where 7,000 persons lived on alms; and then he proceeded to show the improving condition of the country from the criminal returns. The population, he observed, was rapidly augmenting, and crime, so far from increasing, had considerably diminished of late years. In 1823 the commitments were 15,000; in 1828, 14,600—showing a difference of 400 for the whole island. The progress of crime had been advancing in England in 1828, as the right hon. Secretary opposite knew; while in Ireland the contrary was the case. In that country, in 1823, the executions were 61; 1827, 37; 1828, 21. In 1823 those convicted of seditious practices amounted to 121; 1825, 9; 1827, they had fallen to nothing, and in 1828, they were 3 only. Thus it would be seen that the condition of Ireland had, in more ways than one, been materially ameliorated; but antecedently to any measure of legislation with a view to its further improvement, it would be necessary that the House should have its actual condition before them, and that brought down to the latest period. In moving for a committee at that early period of the Session, there was every reasonable prospect that its labours might be brought to a close time enough to admit of practical results. The next subject to which he would direct the attention of the House was, the charge brought against the Irish gentry and middle classes that they showed no disposition to relieve the wants and necessities of their poorer fellow-countrymen. National reflections might be easily made, but they should not be made lightly. What were the facts of the case? Was Ireland without its charitable institutions? Far from it: no country under Heaven, he would venture to say, maintained, as compared with its means, more munificent asylums for the sick and destitute than Ireland. Let the House look to the asylums for the insane, and they would see none of the great towns without one, and none of the provinces, except Connaught, (in which, however, there was one about to be erected,) and those were chiefly supported by voluntary contribution. Then every county in Ireland had its county hospital, except Waterford, which had an institution under another name, but for the same purpose. The Lunatic Asylums for the poor, he said, were more generously endowed, and exceeded in magnitude those of any other country. There were also fever hospitals and county hospitals, which relieved 8,000 patients, and were provided for at the expense of 54,000*l.* a year; and there were other public institutions in each of the four provinces. Of the sum expended on county hospitals, 54,000*l.* a year, only 2,600*l.* was provided by Parliament, and the remainder was contributed by the charity of Ireland. He would next advert to the fever hospitals, which were established all over the country, and all of which, except the one at Dublin, were supported by local funds, and without costing the Government any thing. At all these hospitals, amounting in number to 271, cases of fever were treated with as great liberality, and with as great success, as in any hospitals of this country. There were also Dispensaries for the relief of sick persons, to the amount of 400, supported by private subscription; and at these establishments, during the last year, half a million of persons had been relieved. If Gentlemen who some times censured the want of such establishments in Ireland would look at that country, they would find that it was not deserving of their blame; and to make them aware of this, he had mentioned these examples of public benevolence. These were facts open to the inquiry of any Gentleman who wished to direct his attention to the condition of Ireland; and here he could not refrain from saying, that he did not mean to quarrel with the particular opinion of any body upon the affairs of that country, provided it was formed upon an examination of the existing state of things. All he wanted was, that Gentlemen should come to these discussions with the knowledge and truth which were alone necessary to have them properly understood. He only complained of those who dealt in speculations and aspersions, in ignorance of the condition of the country, upon which, nevertheless, they were not restrained from pronouncing an opinion. They had also in Ireland houses of industry, but to these he should recur hereafter. He came then to the question, what was to be done for the Irish poor? The first step was, to ascertain what previous investigation had been made into the subject. The question of introducing poor-laws had been discussed, once directly, and once incidentally, in that House. In 1804, his right hon. friend (Sir J. Newport), whose name was always foremost in all works for the good of Ireland, had moved for a Committee to inquire into the state of the Poor in Ireland. That committee, which numbered among its members Mr. Wilberforce and Mr. Morton Pitt, reported, that to introduce the English system of poor-rates into Ireland would be highly injurious to that country, and not advantageous to the lower classes of the people. In 1822, the subject was investigated incidentally, in the committee appointed to inquire into the employment of the Poor in Ireland. The Report of that Committee was recommended to him by having received the sanction of Mr. Ricardo, and it stated, that any system of relief, however benevolently intended, which led the peasants to depend upon any other source than their own labour, repressed those exertions which were necessary to the improvement of the condition of the labouring classes. He referred to these two authorities, not because he would then have the House to act on them, not considering them as conclusive that what was not wise then would not be wise now, but merely as authorities worthy of consideration, and to show the House, that if these opinions were erroneous, it ought not to come to a directly opposite conclusion, without first instituting a full inquiry, and hearing evidence on all the parts of the question. He had before only mentioned houses of industry; he would then refer to them, to show what would be the effect of a compulsory rate. The hon. Member for Wicklow proposed to make a compulsory rate for the whole country, for that was involved in his proposition for establishing poor-laws in Ireland. This principle ought, therefore, in the first instance, to be discussed. Before they extended houses of industry, they ought to ascertain what effects they had already produced; they ought to ascertain whether they had, on the whole, diminished or added to the sum of human misery. The experiment had already been tried on a large scale, and the illustration involving no question of local expenses, might be a good criterion to judge what would be the result of extending them. There were eleven of these houses in Ireland established by the 11th and 12th of Geo. 3rd. A compulsory poor-rate for the House of Industry at Dublin had been tried on the largest possible scale, and its effects ought to be known before they introduced the poor-laws in Ireland. It made no difference that the rate had come out of the pockets of the people of England, as far as its effect on the people of Ireland was concerned. Since the Union a sum had been voted for that establishment amounting to 803,000*l.*; and among the estimates then on the Table, there was, he believed, an additional grant for it. The effects had been ascertained by an inquiry instituted by Mr. Grant and Mr. Secretary Peel, when they held office in Ireland, and the Report made to them showed that that House of Industry had totally failed in its object of suppressing mendicity, and, in its effects, had augmented, by bringing destitute people in from the country, the number of poor in Dublin. The report of 1820 stated, that "the House of Industry had totally failed in accomplishing one main object for which it was instituted, the suppression of mendicity in the city of Dublin. So far from having produced that effect, it is by no means certain that it may not have contributed to augment the evil by attracting numbers to Dublin from all parts of Ireland, in expectation of relief." "Let us suppose" the Report continued, "that the House of Industry had at any period been evacuated, and its inmates transported to another country; there can be little doubt that it would have been filled again in a very short period from the city of Dublin alone. Its power of acting as a restraint of mendicity would be thus again annihilated, and the vacuum created by the removal of Dublin beggars filled up by fresh supplies from the country." Such was the result of the Dublin House of Industry. If such establishments were formed in every part of the country, what would be the results? They would entail heavier burthens, and a greater number of poor, on cities and places already burthened like Dublin with poor, unless the introduction of poor-laws into Ireland was united with some provision that would be tantamount to the Laws of Settlement, and would limit relief to persons residing in particular places. If his hon. friend would examine the establishments of this description in Ireland in detail, he would find that it would be no remedy to establish Houses of Industry all over Ireland. In one of them he knew, that when the fever prevailed, the medical man never attended, but wrote his prescriptions at the distance of a mile. In another, he had seen a dead child lying in bed with its mother, presenting the most deplorable scene of human suffering. He would beg the House and his hon. friend not to suppose that establishments at the public charge would not lead to many such scenes. The erecting in various parts of the country large work-houses, half gaols half hospitals, in which excessive discipline and charity met and destroyed each other, would be as hateful to the people as productive of mischief to the country. He knew that some benevolent men — Dr. Davenant for instance—who had a scheme for a great hospital, that was to yield 1,200,000*l.* to the public treasury; and Sir Josiah Child, who had a vague notion of public benefit to be derived from such institutions, fancied that they might be both useful to the people and advantageous to the public. But whatever might be the case with the English peasantry, he was sure that the Irish people would never brook the charity which was accompanied with restraints and fetters. Even if they did, he had great doubts if it would be possible in the present state of Ireland to find churchwardens and overseers, and other local officers to carry a system of public provision for the poor into effect. Establishments supported at the public charge could not be kept free from local abuses. He thought Dr. Franklin's opinion was a wise one—that the more the law did for the poor the less they would do for themselves; and the less there was done for them by the law the richer they would become. It was proposed by many gentlemen to introduce the English poor-laws in Ireland; but while they proposed this, they were not contented with the poor-laws as they were administered in England. Since the passing of the 43rd of Elizabeth, there had been an uninterrupted series of attempts to depart from the principle of that act, or to amend the poor-laws. He was not aware by what alchemy the English gentlemen were to transfer all the gold of this system to Ireland, without any of that alloy they complained of. He should like to see the English poor-laws first of all adapted to the state of England, and the improvements in them carried into practice here before they were extended to Ireland. Not to refer to the more ancient attempts which had been made to improve these laws, he would merely mention the names of Mr. Pitt, Mr. Sturges Bourne, the present Attorney General, Mr. Nolan, and the hon. Member for Shrewsbury, as gentlemen who had tried to amend the English poor-laws, and had not succeeded. He was sorry that the hon. Member for Newark was not in his place, particularly as he had great respect for him, and conceived that Ireland was much indebted to him for the attention he had paid to its interests; but he was sorry that the hon. Member was not in his place, as he meant to make some observations on his opinions on this subject. He wished to say that Ireland was much indebted to that gentleman for the attention that he had paid to all the circumstances of her situation and the benevolent disposition he had shown to provide a remedy for the evils of her condition. That hon. Member was one of the ablest supporters of the plan of giving poor-laws to Ireland; and his argument was, that such law would compel the absentees to return to Ireland, and would place a barrier against the clearing men from the land. Mr. Sadler's questions were, first—"Are the wrongs perpetrated by absenteeship undeniably great? A poor-law is the specific for these evils—a barrier to these clearances." Against the hon. Member he would balance the political economist, though he was anxious to separate himself from them as far as their doctrines related to absenteeism, for he never could believe that the absence of the higher classes from any country had no evil effects, physical or moral, on the lower classes of the people; but while the hon. Member defended the introduction of poor-laws into Ireland as a barrier against clearing the land, the political economists urged on the measure as supplying an additional inducement for landed gentlemen to dispossess their tenants, and clear the land of the peasantry. For his part he did not wish to give the landlords any additional inducement to clear the land and drive away their tenantry. Mr. Sadler's next proposition was—"Is the want of employment another of the peculiar grievances of the country? A poor-law, under proper regulation, would go far to remedy the evil." He admitted, with the hon. Member for Newark, that there was a great want of employment, but he differed from him in supposing that the poor-laws would provide a remedy against the evil. On what principle could it be said that introducing poor-laws into Ireland would add to the employment of the people? The demand for labour depended on the quantity of capital; and how was that to be augmented by poor-laws? They would only take funds from the occupiers of land to transfer them to the paupers; they would take money out of the pocket of one man to put it into another. Then again Mr. Sadler says—"Is the remuneration of labour inadequate to a decent state of living? A poor-rate would unquestionably raise and sustain the rate of labour." He readily admitted that the remuneration of labour was inadequate, but he did not see how the poor-rate could meet the evil. A poor-rate would diminish capital and lessen the employment of the poor. He wished to give employment and higher wages to the labourer; but a poor-rate would only take money out of the pocket of one man to transfer it to the pocket of another. The adoption of such a system would only render labour more disproportionate than at present to the capital of the country. The poor-laws would make the supply of labour greater in relation to capital than at present; for though the absolute wealth of the country had increased very much, the relative condition of the labourer had not been improved. Capital had not been increased as fast as labourers had been multiplied. He would like to know whether, in giving poor-laws to Ireland, it was intended to pay wages out of the poor-rates, as in England ["No!" was replied by General Gascoyne]. He was glad to hear that "No;" and he should afterwards apply it, in order to expose the fallacy of the gallant General's opinion; but if they did not apply the poor-rates to pay the wages of labour, how were they to increase the demand for labour? He should like to know, however, from those who proposed Poor-laws for Ireland, in what form, and under what modifications they were to be introduced. It was said, that great advantages would result to Ireland from introducing the poor-laws into that country; but nobody, as far as he could learn, demonstrated how those advantages were to be introduced. They were promised the greatest possible advantages, but not shown how they could be obtained. To support his view, he would quote an able pamphlet, written by a friend of his, an English gentleman, which might, perhaps, recommend it to some of the Members—a gentleman whom he would be glad to see in that House—he meant a pamphlet on the poor-laws in Ireland written by Sir John Walsh. He says, "that gentlemen urge on the establishment of poor-laws for Ireland with arguments such as this 'the Irish must maintain their own poor, and something must be done.' Now, I protest," continued Sir John Walsh, "most strongly against this indefinite something. It seems to spur us blindly upon a course of action, and to oblige us to move before we see our way." As there was no definite plan yet laid down, he would ask, when the poor-rates were introduced were they to be coupled with the Law of Settlement? If that were the case, the result would be, to carry litigation into every parish; and whatever extent of good the poor-laws might confer, would be more than balanced by the great evils of the Law of Settlement. He had the authority of the very able author of the Letter to Mr. Canning, signed "A Select Vestryman," to say, that the Law of Settlement was a part of the Poor-laws; and that, without it, those laws could not be carried into effect. "Cancel the Law of Settlement," said the writer, "and leave in operation what provides relief for indigence, and the code will be a monster in legislation, and will produce more pestilent effects than vagrancy or mendicity where there is no legal provision for the poor." The Law of Settlement, then, was to be considered an essential part of this system, and a source of mischief which could not be avoided. Mr. Pitt, in 1796, stated, in speaking of the Law of Settlement, "Such were the institutions which misguided benevolence had introduced, and with such warnings to deter, it would be wise to distrust a similar mode of conduct, and to endeavour to discover remedies of a different nature." He said, in the words of Mr. Pitt, mistrust the Law of Settlement as a source of mischief. He wished Gentlemen to reflect also on the means by which they proposed to carry the Poor-laws into effect. Did the parishes of Ireland, particularly the remote parishes, possess the means of providing overseers, churchwardens, and persons who would be responsible for the money, and who had intelligence and skill to apply it? He believed not; and some Gentlemen recommended Poor-laws as a means of inducing absentees to return to Ireland. But who were the absentees—who were the great proprietors? The Duke of Devonshire, the Marquis of Lansdown, the Marquis of Hertford, Earl Fitzwilliam, &c. He mentioned them not with blame, but approbation, for their estates were much better managed than those of many resident proprietors. But were they to be induced by Poor-laws to reside in Ireland, and take upon themselves the offices of churchwardens and overseers? He objected to attempting to accomplish such an important effect as to make the gentlemen of Ireland reside at home by a side-wind of legislation. It would be best effected by that species of laws which made the country prosperous and happy, and gave them security for their persons and property. Some Gentlemen recommended the Poor-laws on a principle of assimilation. The two countries, it was said, must be made alike; but it should first be shown that the law proposed to be introduced was useful, not merely that it would assimilate the two countries to each other. Other persons contended, that as there were Poor-laws in England, and as the labourers came from Ireland to England — tending to make the wages of labour equal in both countries—the landed gentlemen of Ireland should be made to provide for the poor of Ireland, that they might not, by immigration, injure the labourers of England. He was prepared to assert, that the Poor-laws would not diminish immigration. If the labouring classes were not to be paid out of the Poor-rates, and the hon. Member for Liverpool said they were not, the Poor-laws would not in any degree diminish the quantity of labour that was poured into the English market. At present, the portion of the Irish who came here were the strong, and the healthy, and the active. If Poor-laws were introduced into Ireland, the practice of sending the Irish out of England in a summary manner could not then be acted on. Before any man was sent home, an inquiry must be introduced, litigation would follow on inquiry, the disputes that now existed between parishes in England as to the legal settlements of paupers would be extended to Ireland, and such a system, whether it kept the whole poor at home or not, would be a great benefit to the lawyers. It would be a new carcase for them, which they would be eager to devour; and his hon. and gallant friend, could he succeed in his wishes, would become so popular among the profession, that he might expect to be a standing toast, even on the Northern Circuit. The only way in which Poor-laws in Ireland could be a benefit to the labourers of England would be, raising the wages of labour in Ireland. At present, the peasantry of Ireland came into England because wages were higher here than there. He should propose that an inquiry be instituted by the committee as to the possibility of raising wages in Ireland, and, if possible, into the best means of accomplishing it; but he must say, he did not think Poor-laws were those means. It would throw a little light on this subject by comparing the northern with the southern part of England. In Northumberland the Poor-rates were 7*s.* a head; in Sussex, they were 20*s.* a head; and in the former the wages of labour were higher than in the latter. He had also the authority of the Committee of that House, formed in 1817, who was presided over by the hon. Member for Ashburton, for saying, that the tendency of the Poor-laws was to reduce the wages of labour. That Committee reported—"As the funds which each person can expend in labour are limited in proportion as the Poor-rate diminishes those funds, in the same proportion will the wages of labour be reduced, to the immediate and direct prejudice of the labouring classes, the system thus producing the very necessity it is intended to relieve." Mr. Malthus also observed, that—"The Poor-laws of England appear to have contributed to raise the price of provisions, and to lower the real value of labour: they have therefore contributed to impoverish that class of persons whose only possession is their labour." If this were true, a system of Poor-laws would lower the wages of labour in Ireland, and increase the temptation for the Irish labourers to come to England. Every thing, it was said, was paradoxical in Ireland, and perhaps he might be thought guilty of a paradox in saying, that the power now exercised by the parishes in England, of sending the Irish back to their own country, promoted immigration. The fact was, that many of those persons came here for temporary purposes, and were glad to be sent back at the public charge. If the labourers of Ireland who now came here to seek employment, and who returned at the end of the year, were assured of being sent back at that time, they would come over in greater numbers. They came here only for a temporary purpose—they remitted their money home, and Poor-laws, providing them the means of return at the public expense, would only induce them to flock over here more numerously than at present. He had to complain, too, of the cruelty that was sometimes practised under the present system of Poor-laws. A man who had resided forty or fifty years in England, and who had spent the best part of his life in labouring in this country, the instant he demanded casual relief might be sent off to Ireland. This was not sending a man back to his native country, it was rooting him out from the spot where he had grown and flourished. English women, too, who had married Irishmen, were sent to Ireland with their husbands, and had been landed on the quays of Belfast or Waterford, strangers in a strange country, and left to the mercy and hospitality of strangers. He considered that the present system of passing Irish labourers back into Ireland required revision. That was one of the subjects he should bring before the committee. The inquiry he proposed would be of great service, if it only gave a negative to the proposition of introducing poor-laws into Ireland, which might encourage misguided hopes, and mislead the Irish. But he looked for more than this from such an inquiry. If it should end, as some Gentlemen seemed to suppose, in showing that they would be beneficial to Ireland, no person would be more zealous to support them than he should be. The inquiry would also show to what extent means already existed in Ireland to relieve the poor; and it might show to what extent they might be advantageously increased. He believed, too, that such an inquiry would demonstrate that a great deal had already been done. To him it seemed likely to be attended with so many advantages, that he thought his Motion should be supported, both by those Gentlemen who wished to have Poor-laws in Ireland, as well as by those who were opposed to that measure. The next inquiry to which he would direct the attention of a committee was connected with the administration of what are called the Grand Jury Laws. He did not propose a revisal of these laws—far from it; but he wished the subject to undergo consideration, in order to ascertain how far the present system of administering those laws either limited the employment of the peasantry of a district, or provided for them a kind of employment which could be called beneficial. To illustrate his views on this part of the subject, he would mention a fact. It was the constant habit of those who were charged with the execution of the presentments for public works to put off that work till the latest possible moment, and the consequence was, that the poor labourer, at the approach of the Assizes of spring or autumn, was called from the planting of his seed in the potatoe-garden, or the gathering in of his harvest, to do the county work at the time when it was most inconvenient and injurious to him. It was to the augmentation of the local taxation, through the means of the Grand Jury, as well as the manner in which the money was employed, that he wished the attention of the House to be directed; and he thought that a further illustration of the extent to which this taxation had been carried might not be inapplicable to his purpose. In the county of Limerick, taking a period of nine years, the local taxation had increased in the folling ratio: — The average taxation was, from 1790 to 1794, 6,787*l.*; in 1794, 8,498*l.*; in 1798, 11,463*l.*; in 1802, 16,640*l.*; in 1806, 20,981*l.*; and in 1810, 34,860*l.*, and at present, it was upwards of 40,000*l.* In the city of Dublin, the local taxation was, in 1771, 2,494*l.*; in 1781, 4,223*l.*; in 1790, 6,711*l.*; in 1801, 8,896*l.*; in 1811, 16,556*l.*; and in 1821, 27,515*l.*, being nearly a twelvefold increase above the sum raised in 1771, and this, too, during the time when there were an Irish Parliament and a resident Nobility in the Irish Metropolis. If Ireland were then little able to afford such extravagance, still less could they now bear it. This was a point which was worthy of the attention of the House. Here was a sum of 800,000*l.* annually collected by grand-jury presentments, and other local means of taxation, from the tenantry of the landlords of Ireland. This was the real poor-rate. Take away that burthen from the industry of the peasantry, and Poor-laws would be wholly unnecessary. If they added to that the Church-rate, which he was not disposed to exaggerate in amount before the Member for the University of Oxford (Sir R. Inglis), who had taken that rate under his peculiar protection, which he thought he might fairly set down at two-pence in the acre—then they had 80,000*l.* or 90,000*l.* to be added to the 800,000*l.* of local taxation, which might, if not wholly removed, be much more beneficially applied, and which was now taken from the poor and the industrious to be thrown away on the idle or the opulent. Very little had been said of the disturbance created by the collection of these rates, but he believed, that more ill-will and disturbance had grown out of the Church-rate, and the raising of the local taxation, than out of all the other causes to which they were so often ascribed. The next subject to which he wished to draw the attention of the Members of the House, both English and Irish, was the effect produced from the expenditure on public works. And he begged to observe, that if he knew anything on these subjects, he was indebted to the information derived from his right hon. friend, the Member for Kerry (Mr. M. Fitzgerald), who had devoted his attention to the subject with unremitting zeal and assiduity. He thought, however, he could not better illustrate this part of the subject than by showing, from the evidence of Mr. Telford, in his examination before the committee of 1819, what were the consequences of the application of public money to public works in Scotland.

"The people, before these improvements took place, had no beneficial object to exercise their industry upon. In the course of opening these roads, and constructing the Caledonian Canal, there have been employed annually about 3,200 men on an average. At first, these men could scarcely work at all; they were totally unacquainted with labour; they could not use the tools; but they have since become excellent labourers. Of that number, by the gradual influx and departure of the workmen, we consider that one-fourth left us annually, taught to work; so that these works may be considered in the light of a working academy, from which eight hundred have annually departed improved workmen. These men have either returned to their native districts, having had the experience of using the most perfect sort of tools and utensils (which alone cannot be considered less than ten per cent on any labour), or they have been usefully disseminated throughout the other parts of the country. Since these roads were opened and made accessible to wheel-carriages, wheelwrights and cartwrights have been established in the country; and in different parts the plough has been introduced, and other improved tools and utensils are now used. In the western and more mountainous parts they frequently used crooked sticks, with iron on them, for ploughs; but now the plough is used, and these improvements have also led to the inclosure and cultivation of more land. I also conceive that by this mode of employment, the moral habits of the great mass of the working classes are changed. They see they may depend on their own exertions for support, and this appears to me an object of the first importance; but it goes on silently, and is scarcely perceived until apparent by the results. I consider these improvements one of the greatest blessings ever conferred on any country;" and he declared "they have been the means of advancing the country one hundred years."

This was the result of the execution of public works in Scotland. He would now read the evidence of Mr. Nimmo, a man of great talent and judgment, who spoke of the effect of public works in Ireland. Imperfect and few as they had been, Mr. Nimmo stated, that "in Kerry there was hardly a plough, car, or carriage of any kind; the butter, the only produce, was carried to Cork on horses, there was not a decent public house, and I think only one house slated and plastered in the village; the nearest post-office thirty miles distant. Since the new road was made, in three years there were built upwards of twenty good houses, slated and plastered, and with good sash windows; for one house the owner demands 40*l.* rent; a respectable shop, with cloth, hardware, and groceries; a comfortable inn, with six bed rooms; a post-office and chapel; a quay covered with limestone; a salt-work, and a considerable traffic in linen and yarn; forty cars and carts, and a resident gentleman's coach. All this the result of the individual enterprise of the inhabitants. At Belmallet the advance is quite surprising; this place only commenced four years ago, it now contains about seventy respectable houses, two or three good cottages, with planted enclosures. The port-master has loaded five ships with five-hundred tons of grain, kelp, &c. The stamp and post-office revenue are rapidly increasing; thirty five newspapers come weekly to the office. Mr. Davis sold 900*l.* of wine and spirits; bought and sold 1,000*l.* of shop goods, iron, leather, tea, sugars, &c." Mr. Griffiths also stated in his report, that "in the Cork and Limerick mountain district, at the commencement of the works, the people flocked in, seeking employment at any wages. Their looks were haggard, their clothing wretched. They rarely possessed any tools or implements of husbandry beyond a small ill-made spade. The whole country was unimproved. But since the completion of the roads, great strides have been made towards improvement; sixty new lime-kilns have been built for agricultural purposes; carts, ploughs, and harrows, have become common; new houses of a better class have been built, or are building, in great numbers, and this country, formerly the theatre of lawless outrage, has become perfectly tranquil. A difficulty is created of procuring labour; at certain times no price will tempt the new landholders to leave their farms, and I was obliged to invite strangers to come from considerable distances. The value of land has increased, and in some cases double rent is offered." He invited Gentlemen to look at what would have been the effect of this if the Poor-laws had been in operation in Ireland. The peasantry were here stated to be haggard, naked, willing to work, but unable to find employment; and yet, in a very short time from the operation of the employment of this money, labourers were scarcely to be obtained at any price, and the whole state of the district was improved. It was from these men, too, that the elements of emigration were derived. These haggard peasantry were the men who came to look for employment in this country because they could not obtain any at home, and who rendered the condition of the labouring classes still more miserable. But let them look at the reverse of all this—let them consider the effect produced by the consumption of exciseable commodities, the building of new houses, the paying of taxes. Let them suppose the starving peasants of Ireland becoming the friends of the Chancellor of the Exchequer and of this country, and they would estimate as it deserved the application of money on such purposes. He would inform the hon. Member for Aberdeen, the greatest economical authority in the House, that he did not wish to draw on this country for the means of carrying on these works. He would propose that a sum of money should be advanced by Government, on the mortgage of the county-rates, or other securities, and to be repaid with interest at the end of a term to be fixed. This was a proposition to which he thought neither the hon. Member for Aberdeen, nor the strictest friend of economy, could make any objection. He passed now to a subject of great importance, although it did not at first sight appear to have any obvious consequences; he meant the local restrictions on trade, on the buyers and sellers at public fairs and markets. He had moved for a committee on this subject some years ago, and from the inquiries then entered into he found that these tolls amounted to five per cent *ad valorem* on all the goods sold; and if they changed hands often, it was easy to understand that the duties must soon absorb the original cost of the article. These tolls were collected through the means of oaths, which led to fraud, perjury and deceit; and it would be equally desirable to put an end to a system which tended to produce immorality, and to deteriorate the property of the peasantry, and throw obstacles in the way of their trading, which too frequently led to disturbances and the breaking of heads. He remembered that when he stated to the House that illegal oaths were administered in various places in Ireland, in order that tolls might be collected, producing an atrocious system of fraud and perjury, his noble friend, then Attorney General for Ireland, denied that these things could exist or they must have come officially under his knowledge. To administer an unlawful oath is an indictable offence. But before the end of that Session, the Earl of Clancarty petitioned the House not to prohibit the administering such oaths, because they enabled him to collect the tolls of Ballinasloe fair. This was, therefore, another subject deserving inquiry in the committee. The hon. Member then observed, that another point to be desired was, that capital should be applied to the culture of the waste land. He was anxious to see the result of an experiment for that purpose. There were two millions of acres in Ireland which could be reclaimed at an expense of seven pounds an acre, and which it was calculated would yield a rent of twenty shillings an acre. Supposing, according to the calculations of the hon. Baronet, the Member for Queen's County (Sir H. Parnell), that the population of Ireland doubled itself in thirty years, how much, he would ask, must not this increase of cultivated land add to the property and resources of the people? With these reliefs from the burthens which pressed on the labouring portion of the population, and with the benefits of education more extensively diffused, and with the demand for labour increased by the proper application of the natural resources, he thought that Ireland would be in a condition of prosperity and comfort, without the application of the Poor-laws. He trusted for the assistance and acquiescence of the House in the appointment of a Committee to inquire how these objects might be advanced; and he hoped, that although a political economist, and one of those landholders whose selfishness was described to be so intense, he had not shown any very inflexible selfishness in the views he advanced, or in his desire to cast the burthen of the local taxation on the revenues of the landlords. Ireland did not require the interposition of new laws so much as the repeal of ancient and injurious legislation. The House must foster the exercise of the moral virtues of industry and frugality before it could expect any solid improvement. "Patience, labour, frugality and religion," he would say, in the language of Mr. Burke, ought to be recommended to the people; "all the rest is downright fraud." If there were evils which the law had created, the law must be applied to remedy or remove them, because it was the duty of those who had made the enactments to see that they did not operate to produce effects contrary to those which were anticipated. The subjects he wished to bring under the consideration of the committee were all of a practical nature. They came before the House unconnected with any party considerations, and he trusted for the support and co-operation of all men, of all opinions, in support of the inquiry he proposed. For these reasons he looked also for the support of the noble Lord, the Secretary for Ireland. All parties were at an end—all factions were extinguished, all animosities had ceased; and now, if ever, was the time come when the subject of the evils of Ireland could be calmly and patiently considered, and remedies successfully applied. He concluded by moving for a Select Committee, to inquire into the state of the Poorer Classes in Ireland, and the best means of improving their condition.

General *Gascoyne* rose to second the Motion, and observed, that although he had been an advocate for the introduction of Poor-laws into Ireland, he had never contemplated the probability of the English system being introduced without considerable modifications. No one, surely, could suppose that he would wish to introduce all the abuses which had crept into the laws respecting the poor in this country. His hon. friend had asked what Poor-laws would he introduce? He answered at once, those which were in operation in Scotland. He would divide the poor and the helpless equally among the holders of all the land, absentees as well as residents, and compel them to provide for them; and he would make the absentees pay in the same proportion as in Scotland, where if the resident paid fourpence in the pound, the absentee was called on to pay eightpence. He thought, however, that great good might result from the inquiry, and that the House might be able to put an end to that system of passes which at present formed one of the burthens of England, and one which was ever recurring; for, although the custom was to give the Irish paupers a shilling and pass them to their own country, they returned again as soon as they had an opportunity. He would correct this by imposing a slight punishment on the persons who came here without adequate means of subsistence, and on those who brought or sent them hither. The hon. Member talked of eleven Houses of Industry, and of the effects likely to be produced from charitable institutions. But did the hon. Member forget the institutions of England, and her contributions to the support of Houses of Industry? Why, the payments of England on that head amounted to ten or eleven millions, being nearly three times the sum collected by all the public payments made under every local demand in Ireland, and even nearly three times the amount of the whole revenue of that country. He observed, that whenever an Irish Member brought forward any proposition in that House, he always ended with a demand for money; and he confessed he thought the latter part of the hon. Member's speech, when he spoke of public works, indicated something of the same kind. How the hon. Member proposed to defray the expenses he suggested, unless by a tax of some kind, he was at a loss to imagine; and he had no doubt that his hon. friend would come into the committee at last with a proposition for a small sum to be given by this country in the way of an advance. He had great pleasure, however, in hearing from his hon. friend, that so much good had already been done in Ireland by the sums advanced in that way, that the country was so prosperous, that the people were likely to be in a condition to bear their share of the general load of taxation to which all were subjected. The hon. Member asked, where the churchwardens and the overseers were to be found, if the Poor-laws were to be introduced into Ireland; and he had founded his opposition to them on that ground. He would answer, where were the magistracy to be found? Surely, if they could find a class of people to make magistrates of, they could also find a class of men from whom they could elect officers for the administration of the Poor-laws. The hon. Member concluded by expressing an opinion that a modified system of Poor-laws would do great good in Ireland; but as he also thought that the inquiries of the committee would afford much useful information, he seconded the Motion of the hon. Member with very great pleasure.

Mr. *Frankland Lewis* conceived that the hon. Member for Limerick deserved great thanks for the able manner in which he had brought this important subject under the notice of the House. It was almost superfluous for him (Mr. F. Lewis) to say that he entirely concurred with the hon. Member for Limerick in the necessity of the appointment of a committee on this subject. It was due to England no less than to Ireland, that we should inquire into the condition of the Irish poor, with a view to their relief. Since the great measure of last year, almost all the distinctions between the two countries were removed; they were now indissolubly united, and one of the few distinctions that still remained consisted in the laws which existed in this country for a compulsory provision for the poor, while no such laws existed in Ireland. That was an important subject, which deserved to be approached with caution, to be treated with due deliberation. There were two points to be taken into account in reference to this subject. The relief of the suffering poor in Ireland was to be balanced against the consideration, that the forced adoption of a compulsory rate for the relief of indigence and misery there would put into jeopardy every species of property in that country. It should be borne in mind, that in adopting any such measure for their relief, there was a risk of its being followed by such a result. With regard to the tolls at fairs and markets in Ireland, it certainly appeared to be necessary that the House should consider that subject immediately, with a view to devise some measure calculated to remedy that evil, at the same time that due attention ought to be paid to giving a compensation for local vested interests. He would venture to say that, upon inquiry, it would be found that these vexatious imposts and local duties at fairs and markets depressed the value of property to a tenfold greater amount than that of the benefit which they conferred upon the particular individual to whom they happened to belong. His hon. friend had also adverted to the county assessments with some censure, but in his opinion, the improvements resulting from those assessments were fully equal to their amount. Great caution ought to be used if it were proposed to abolish these assessments.

Mr. *Spring Rice* intimated, that he did not propose to abolish, but only regulate and restrict these assessments.

Mr. *Frankland Lewis* said, as he had misunderstood his hon. friend, inquiry might make their views meet on that as well as on other points. He would next address a few observations to the House, in reference to the propriety of the introduction of the Poor-laws into Ireland. He had heard with great satisfaction from the hon. Member for Limerick, that there already existed, in different parts of Ireland, a great number of charitable institutions for the relief of the poor. He thought his hon. friend had referred to the existence of these institutions to show that there was no necessity for Poor-laws in Ireland; and he had anxiously waited to hear from his hon. friend some practical conclusion on that point, or some proposal for the extension of legislative aid to those institutions. His hon. friend however stated, that there was at present a tendency in Ireland to disparage such institutions, and he afterwards appeared inclined to suggest that Parliament should make grants of the public money for their support. Now he could not well reconcile those two propositions, and he did not very clearly see what good could be effected by public grants to institutions, the utility of which was even at present questioned, and the character of which met with general disparagement in Ireland. His hon. friend had then approached the subject of the Poor-laws, and he had asked, what modification of them it was proposed to introduce into Ireland? Now, whether or not it would be wise to introduce a modification of the English Poor-laws into Ireland was a question which certainly deserved the most serious, cautious, and deliberate consideration. If he might be permitted to offer a suggestion upon the subject, he should rather recommend an imitation of the Scotch system of Poor-laws, for it was only upon such principles as that system was founded, that a proper system of compulsory provision for the poor could be administered in Ireland. The great difficulty in adapting a system of Poor-laws to Ireland would be to find proper persons to administer them, and it appeared to him that the most proper persons to administer the law were the persons who paid rates under it, for they would be likely, in consideration of their own interests, to take care that the law was properly administered. The Scotch system, therefore, under which the rate payers administered the law, was, it appeared to him, much better adapted for Ireland than the system which existed in England, where the administration of the laws was committed to the overseer, who might be under the complete control of the magistrates. The Scotch Poor-law was administered by the elders and heritors of the parish, who were themselves the payers of the rates; and a system framed upon such principles he conceived would be by far the best adapted to the state of Ireland. He thought that, in the report of the committee of 1817, to which reference had been made, a part of it was too strongly expressed, in which it was stated that Poor-laws had no tendency to increase the capital or funds of a country, but on the contrary had a tendency to diminish them. These and other points, however, he was of opinion could be more conveniently and advantageously discussed in committee than in that House. There was another point to which he should briefly advert. He differed from those who stated that Ireland did not suffer much from absentees. A resident gentry was one of the greatest blessings a country could possess, while the evils resulting from an absentee proprietary, more particularly in Ireland, could scarcely be overrated. He hoped that the committee would be granted; but he trusted, at the same time, that Members would not go into it with a view of establishing some foregone conclusions, but would strictly and impartially examine every proposition which might be submitted to them with a view to relieve the distress of Ireland.

Mr. *G. Dawson* commenced his observations by complimenting his hon. friend, the Member for Limerick, on the able and eloquent speech which he had just made, and on the conciliatory manner in which he submitted his motion to the House. He must, however, express a hope that his friend would confine the labours of the committee to one point — namely, the best means of finding employment in Ireland for the poor of that country, who now came over to England, and that he would not extend them over the numerous points which he had mentioned, as such inquiries could lead to no practical advantage, and would only disappoint the object which his hon. friend had in view. It would terrify the hon. Members whom his hon. friend had nominated on the Committee, from attending its sittings, if they were to be compelled to examine into the operation of the Grand-jury laws, the laws for the Education of the Poor, the amount of Market-tolls, Church-rates, Poor-rates, and various other objects, which his hon. friend had announced with such rapidity as to render it quite impossible for him to take them down. There was one of these points to which he would momentarily advert. His hon. friend had spoken of 800,000*l.* a-year, levied for local purposes, as an actual poor-rate, and he proposed to inquire into the application of that sum. But his hon. friend knew very well that a large part of it was destined by special Acts of Parliament to particular purposes; and the Committee could not alter these. It would be an herculean labour, and beyond the powers of the Committee, to inquire into all these acts, and therefore it would have been wiser in his hon. friend not to have included the county assessments among the subjects for the Committee to inquire into, and wiser if his hon. friend had taken little or no notice of them in his speech. The state of the poor in Ireland, he admitted, well deserved the consideration of the House. His hon. friend, the Member for Limerick, was opposed to the introduction of any system of Poor-laws into Ireland, whilst another hon. friend of his, the Member for Liverpool, was a warm champion for their introduction. He had listened with great attention to both their speeches, and with all deference to his hon. friend, the Member for Liverpool, he must say that he had never heard any speech on the imposition of the English system of Poor-laws upon Ireland, so devoid of every thing like common sense or argument as the speech which he had just delivered. He was anxious to express his own opinion upon that subject. It was naturally divisible into two parts, and he would seize that opportunity of saying a few words upon both. He should object to the imposition of the whole of the English system of Poor-laws upon Ireland, from a conviction that it would tend, more than any other measure which the imagination of man could devise, to pauperize and barbarize Ireland; and the reasons upon which he rested that conviction were the same with those which had been so ably stated by his hon. friend the Member for Limerick. There was, however, a part of that system which he conceived that it would be both just and necessary to introduce into Ireland. He thought that the aged and the impotent, the halt and the blind, had a right, because they were helpless, to be maintained by the richer part of the community. He therefore wished for the introduction of a law which would give every person who came under that description a claim of relief on the parish in which he was either born or settled. He was sure that the people of Ireland would have no objection to support that description of persons who were the original objects of the Act of Queen Elizabeth. In the part of the country with which he was best acquainted, the people were willing enough to assess themselves for the relief of such objects; but voluntary assessment was faulty in this respect, any cold-hearted person could decline contributing to it, and could throw the burthen off his shoulders upon those of individuals whose hearts were more open to the dictates of charity. One of the most striking and horrible things in Ireland was the sight of its wandering beggars. He believed that the feeling of charity was as strong in Ireland as in any country in the world: but still the relief afforded to these beggars was inadequate, and the ostentatious mode of administering it formed a forcible contrast to the simple mode adopted in England. It was not unusual to see a dozen cripples together at a town's end in Ireland. The mode in which they obtained relief was somewhat curious. A case, or box, in which one of these cripples were seated, was placed by some-good natured person at the door of another person's house, and was left there until the cripple was relieved. After he had received relief in the shape of refreshment or money, as the case might be, it was customary for the person who relieved him to convey the box to the door of the next house, and to leave the cripple before it. By that person he was passed on to the next house, and so on from house to house. Thus it often happened that these cripples were carried on from one house to another through whole townships. The House would readily conceive that persons in a state of decrepitude were among the most offensive objects which could be contemplated. These cripples had no claim upon any person for permanent relief; and he thought that if a law were passed, enabling the parishes in which they were settled to give them such relief, nobody would object to it. There, however, he would stop. He never would consent to give the able-bodied labourer a claim for relief, for which he could not be called on to make any return. If such a law were to be imposed upon Ireland, nine-tenths of its population would become paupers. The burthen of supporting them would thus be thrown, not on the landlords, not on the absentees, but on the actual occupiers and cultivators of the soil. It was impossible for any man to travel in Ireland at present, without seeing that a great improvement in the condition of the population of that country was going on; but that improvement would be stopped, and a greater degradation would succeed it than any in which Ireland had hitherto been involved, if the House should determine to introduce into it the entire system of English Poor-laws. For that reason he should always feel himself compelled to resist such a proposition. He was friendly to such a modification of that system as he had pointed out; but conceiving that the English Poor-laws would blight the now budding prosperity of Ireland, he should be always opposed to introducing them into that country.

Mr. *Brownlow*, after thanking the hon. Member for Limerick for having brought forward the Motion, of which he should have been suspicious had it been in other hands, or had it merely proposed to inquire, without practically relieving the existing distress, proceeded to say, that he was of opinion that his hon. friend, the Member for Limerick, had not stated the case of the existing distress in Ireland so broadly as he might have done. He had frequently described in that House the state of the suffering poor of Ireland; and he had been charged with drawing upon his imagination rather than narrating fact. He wished that he could be convicted of having done so. But of this he was sure, that whatever language he and others might have used, either in the House itself, or before committees, no language could be exaggerated which described the sufferings of the great mass of the labouring population of Ireland. Not only were the Irish people below the general standard of European improvement, but there was no part of the world in which the people were exposed to so much suffering. He admitted that there was some improvement going on by the consolidation of small farms, the building of better farm-houses, &c. But the tendency of this improvement was to detach the people from the land. By a comparison of the census of 1821 with the census of former periods, it appeared that during the last hundred and twenty-five years the population of Ireland had been increasing in an extraordinary ratio. He attributed this to the wretchedness of the people; and he founded upon it one argument in favour of the introduction into Ireland of the Poor-laws. The people of Ireland were frightfully reckless of the increase of their number, because no increase could render them more destitute than they were. But if their condition were bettered—if they were put in possession even of the commonest necessaries of life, they would become more cautious, and would look before they leaped. In Ireland there never had been any legal provision for the poor, and in no country had they been so shamefully neglected; wretchedness and population had increased together, and the owners of the land must be made by a compulsory system of enactments, to feel that they have an interest in keeping down the population before that wretchedness could be effectually relieved. Gentlemen talked of winning back the absentees, but while the present beggary existed, there was no hope that Ireland would recover her absentees. In fact, whoever could get out of the country would do so, and thus escape from being exposed to all the mischiefs resulting from an unprovided population. The hon. Member for Liverpool had talked of the vast number of paupers who came from Ireland to this country, and entered into competition with the English labourer, and he hinted at some coercive measure to prevent the emigration. But was the hon. Gentleman serious in his suggestions as to the mode of stopping that influx? It was true, that the Irish sent labour to this country in the shape of human beings; but the English sent labour back to Ireland, in the shape of boxes of manufactured goods. The hon. Member for Liverpool had, therefore, had no ground for complaint. The interchange of labour was one of the advantages of the Union between Great Britain and Ireland. He owned that he was an advocate for the introduction into Ireland of Poor-laws, for he could not avoid attributing to that conspicuous difference in the legislative enactments of the two countries much of the difference in the wealth of the people. In Holland and Sweden, and England, where a compulsory system of relief prevailed, how different was the character of the people from what it was in those countries where they depended wholly on casual charity for support. He feared, indeed, when he looked at the difference between the population of England and Ireland, that the English system alone would not suit that country. Where there were no Poor-laws, dissoluteness and idleness distinguished the people, and imprecations followed the refusal to bestow casual charity. Until some powerful remedy was proposed, it was in vain to talk of checks on the population, and of moral restraint; for the evil would only go on increasing from day to day. He thought that the English Poor-laws, freed from abuses not natural to them, might be advantageously introduced into Ireland. He could not agree with his hon. friend, who had said that since the Poor-laws had first been introduced, Parliament had been engaged in one continued effort to amend them. In his opinion they began to suffer abuse in 1796, when, for the first time, was introduced the idle—he had almost said the impious—system of endeavouring to uphold the condition of the pauper after a very bad season in the same manner as after the best seasons—a system in which the overseer endeavoured to counteract in his establishments and to defeat by his care, the will of Providence. And it was remarkable that from about the same period, 1796, his hon. friend had quoted the first instance of an attempt to amend the Poor-laws. The Act of Elizabeth did not encourage the system of relief without labour, and the two things ought to be separated. He was for introducing that Act, or the preamble of that Act into Ireland, and he looked to the better class of farmers who were growing up in that country, as likely to form an excellent class of persons for carrying such an Act into execution. The landowners of the country had hitherto been interested in the increase of the numbers of the population; give them an interest the other way, and the evil of a redundant population would be much diminished.

Lord *F. L. Gower* said, he heartily concurred with the object of the Motion made by the hon. Member for Limerick, though he differed from that hon. Member as to some of the doctrines he had laid down. Knowing the attention that the hon. Member had paid to the subject of political economy, he was glad to hear that hon. Member declare that he would not be classed with those who maintained absenteeism to be no evil. The process of reasoning by which the gentleman who stood so high in that science had arrived at the conclusion which he had stated before a Committee of the House, and subsequently published, he had always been unable to understand—and he would make the same reply to the fallacy as Johnson made to the philosophy of Berkeley—he would strike his foot upon Besborough and Michelstown, and contrasting them with places to which the landlord never came, the difference would afford a refutation of the doctrine. He did not think that the sudden introduction into Ireland of a system of Poor-laws would check the immigration of Irish poor into this country, or the emigration of Irish gentlemen. It was only by making the country more agreeable that the latter would remain, and the former would come over in great numbers, as they had hitherto done: if they could not find one means of procuring a passage, they would resort to another—they would be like Rabelais, who, when he wanted to go to Paris, and could not afford the means of the journey, wrote on two packets, "poison for the King," and "poison for the Queen," and had his expenses defrayed by the Government, and explained on his arrival the circumstances which had created so much alarm by telling the authorities that he had found that the cheapest and most expeditious method of getting conveyed to Paris. The evils of this system of immigration into this country of the Irish poor had often been referred to, but Members had overlooked the advantage of their coming here at a season when a great degree of labour was required. The only part of the hon. Member's speech that created apprehension in his mind was the last portion, in which he proposed more subjects for consideration than could be advantageously investigated by any committee. He would not say that in any one of the things mentioned by the hon. Member the interests of the poor were not concerned, but in many of them their interests were only indirectly affected, and he thought they ought to confine themselves to those subjects in which the poor were directly interested. The Grand Jury system was one of those matters that only had an indirect influence on the condition of the poor, and in his opinion it ought not to be introduced into the present inquiry. If it were, long as the Session might last, it would hardly last long enough for the attainment of the object. He agreed with the hon. Member as to the importance of the subject of tolls and customs, and had prepared a bill relating to it, which, if found, as he trusted it would be, deserving of the approbation of the House, the credit of it would deservedly rest with the hon. Member opposite, who had been the most active Member of the Committee to which that subject had been referred.

Mr. *M. Fitzgerald* said, that there had been several definitions given of the Poor-laws that night, which differed materially from each other. The definition of the hon. Member for Liverpool (General Gascoyne) was this—that if Irishmen came to England a second time, they were to be punished,—fined, he believed. [General Gascoyne said "confined."] Well, confined: that would prevent a repetition of the offence. But if he confined all who so offended, Liverpool must be provided with large gaols. The hon. Member had talked of the manufactures which England supplied to Ireland; but the Irish sent their manufactures likewise—their principal manufactures were corn and men. Another definition was given by the hon. Member for Armagh (Mr. Brownlow) which was the adoption of the Act of Elizabeth. But he apprehended that the adoption of the Act of Elizabeth would be pregnant with consequences mischievous to those very persons whom he was desirous of serving. If the principle of a compulsory demand for subsistence by the poor be admitted, all the evils experienced from the Poor-laws in England would afford a very slight notion of the evils which would arise in Ireland. The Poor-laws, it was well known to all who were acquainted with Ireland, were not applicable to that country. The whole pauper-population, instead of being incited to labour, would be encouraged in idleness. He was, however, not disposed to refuse making a safe and proper provision for the poor, he should be willing to submit to a compulsory rate for the relief of the impotent, if he could be satisfied that it could by any possibility be limited to them; but he was sure that it could not, and he was ready to do the only thing which ought to be or would be done with a view to serve the poor themselves. He was ready to tax the landed interest of Ireland for the purpose of employing the labouring classes. He would reverse, with respect to Ireland, the principle on which pauper-labour was employed in England, as the only justifiable course that could be pursued. That labour should be employed for productive and useful purposes; it should be directed to the improvement of each particular district. Now it was notorious, that the vast application of funds for the support of the poor in England, ended pretty nearly where it began; and the system was well described, when they were told of the poor digging holes one day and filling them up the next. It was expedient to prevent the people from starving, but it was also proper that their labour should not be thrown away; and, as the system was conducted here, it was really useless as to any great national purpose or object. He would create independent sources of industry, which would not otherwise exist, and which would afford the means of taxing the lands so as to meet the expenditure. The gallant Member for Liverpool had been pleased to say, that no Irish Member rose in that House but to call for a grant of public money, and he had stated that such was the fact on this occasion. Was he justified in making that assertion by the tenour of the speech of the hon. Mover? Did he ask for any grant of public money? Did he seek for any boon that Ireland was not to repay? Unquestionably he did not understand him so; and in all the communications which he had had with his hon. friend on the subject, his hon. friend had always said, that his object was, that labour should be applied on the principle of improving the country by it, and that, in turn, the country should be taxed to meet the expense. For his own part he was for a territorial tax in Ireland, but different from that in England—a territorial tax levied for the improvement of the land, and payable out of that improvement. The principle which he meant to assert was this, that the land should be taxed for the use and employment of the people on it, in such a manner as to repay all expenses whatever, both principal and interest. In order to judge of the course that ought to be taken with respect to Ireland it would be necessary to consider the peculiar circumstances of that country. The peculiarity of the situation of Ireland, as contrasted with that of England, consisted in this,—that a vast proportion of income or revenue, derived from the country, was totally withdrawn from it; and therefore domestic industry in Ireland did not obtain that just reward which every where else was claimed by those who resided on the soil. That was the peculiarity of Ireland. The absenteeism of that country deprived it of that machinery which gave a stimulus to labour; and to that point the Committee ought to direct particular attention. To apply a remedy to that evil, if remedy could be found, ought seriously to engage the consideration of the Committee. The noble Lord and the right hon. the Treasurer of the Navy had objected to some of the multifarious objects to which his hon. friend proposed to direct the attention of the Committee; but it appeared to him, that his hon. friend, when attempting in his opening speech to state his view of all the sufferings connected with the distress of Ireland, could not possibly avoid those particular topics on which he touched. His hon. friend had been charged with not making a proposition as extensive as the case he had laid before the House; he was charged with doing nothing more than adverting to the evidence which had formerly been taken on this subject, and then leaving the case pretty much where he found it. Now, he believed that it was not in his hon. friend's nature to leave the subject without arriving at some practical good. When he referred to those voluminous reports on this question, he stated that no practical result had been derived from them; but he went on to say, that when at length he should have all the evidence before him, and when the subject was taken up under calmer and better auspices than heretofore, he would exert himself to work out some efficient and certain benefit for the country. He hoped that the labours of the Committee would be successful, and that such measures would be taken as would prevent the influx of Irish paupers into this country, by raising the condition of the Irish labourer at home. The present was the first time that the House could come to the consideration of Ireland without any painful feelings. The handsome manner in which the Government had granted the Committee augured well for its beneficial results. He would make but one observation more. He believed that distress did exist in Ireland, but that it arose solely from the want of employment; and that was the point to which the Committee ought to turn its attention. He believed that there existed in Ireland the great and growing seeds of prosperity, and they only wanted, to become flourishing, a little legislative care.

General *Gascoyne* explained: He had only said that a repetition of applications by the same persons for passes into England might be punished by imprisonment, in order to prevent them making a trade of travelling.

Mr. Secretary *Peel* was unwilling to permit a question relating so immediately to the domestic policy of one part of the empire, and not very remote from that of the other, to pass without a few observations from him, particularly in consideration of the public situation which he held. He was favourable to the appointment of the Committee; for nothing could be more improper than to attempt to legislate upon the subject of providing for the Irish poor, without very mature preliminary inquiries, and nothing could be so unwise as to reject the proposal to legislate after such inquiries had been made. One great part of the value of the Committee would depend on the mode in which the inquiry should be conducted. If the Committee entered into the general condition of the Irish poor, he would not say that much valuable information would not be collected, but perfectly certain was he that no practical result would ensue. He would advise his hon. friend, who he supposed would sit as chairman of the Committee, to make his report upon the few following points:—First, a clear statement to the House, and to the British public, of the existing enactments in Ireland, with reference to the provisions for the Irish poor; the extent to which the land is subject to any pecuniary levy for the purposes of providing for any classes of the poor, mutilated, diseased, or wanting subsistence; next to inquire, whether it were desirable to extend those enactments, and to describe the measures by which they were to be extended, with the machinery by which they were to operate; and lastly, the Committee should report on the effect which the system of Irish Poor-laws would have upon the population of Ireland. Nothing could be more plausible and specious than the first appearance of the proposal for assimilating the two countries, or extending the English Poor-law system to Ireland. It might appear that the poor had a natural claim to relief. By poor he meant those that were unable to provide for themselves; and great injustice arose practically from the existence of Poor-laws in one place and from their absence in another. The gallant General who seconded the Motion felt the inconvenience of the Poor-laws, and he wished to impose the same suffering on Ireland. He was like the fox who had lost his tail, and who wanted to persuade all other foxes that tails were an encumbrance. He would give the whole of the English system to Ireland. Many Gentlemen said —apply all the good of the English system of Poor-laws to Ireland, and without any of the evil. But even if this could be done, the question was, could they exclude the gradual growth of what was bad? There was an inevitable tendency, in any such a system, to grow into abuse; and if the poor had an acknowledged legal claim to relief, where could the limitation of that claim be fixed? If every man who could not support himself were to have an acknowledged legal claim upon the wealthy, the land of Ireland would be subject to an Agrarian law, and the present possessors of the soil would have to part with their property, and, what was more, without any material, and certainly without any permanent, diminution of the distress. If the right or claim be confined only to those who were diseased, that limitation would not be found much stricter than the other; for if a man were unable to procure employment, and especially if he had a family, the step from poverty to illness was very short. The hon. Member for Armagh had said—"We won't have Poor-rates, but we will have a Labour-rate, and nothing shall be raised on the land except to provide for the employment of the poor." The hon. Member, by this principle, provided no relief for distress; he excluded the decrepit, and all who could not labour. Was this "Labour-rate" to be applied in the parish in which it was raised? What would this be but a subscription from the rich, and a diminution of their means to employ the poor, and how would this increase the demand for labour? It would *pro tanto* diminish the means of the prosperous farmer, to be applied to a forced labour, which would not otherwise arise, or be actually necessary; the produce of which being less productive in amount, and in every respect of inferior benefit to the country than the labour the farmers would employ with that capital if it were left in their own hands, there would ultimately be less employment for the labourer, and diminished wages, than if no such Labour-rate was imposed. Before the House consented to the introduction of the Poor-laws, under the name of Labour Rate, let the House consider the practical operation of that system; and they would find in it no material distinction, either in principle or effect, from such a rate as was called the Poor-rate in England. His hon. friend, the Treasurer of the Navy, advocated the Scotch system, instead of the English. Now what was meant by the Scotch system? for in Scotland the system in the Highlands was perfectly different from that of the Lowlands and manufacturing districts. By the law, the system in every part of Scotland should be the same; but practically this was very different. He much doubted if, according to the decisions of the Scotch courts, there was not a legal claim for relief by every one of the poor who was unemployed. He doubted if the Scotch system were legal as it existed, or if any system of taxing parishes for the support of the poor could check the ultimate evil now felt in this country. It was impossible for him to discuss absenteeism at that time, although he felt all the inconvenience of it; but he would at once reject the doctrine which considered it proper that Parliament should attempt to interfere directly with absenteeism. It might be thought plausible to impose a tax upon absenteeism; but if any man did entertain such a notion, and wished to be converted, or was open to conviction, let him read the letter of Mr. Burke to Sir Charles Bingham. In 1774, when Ireland had an independent Parliament, a tax on absentees was proposed, and a very popular and prevailing impression existed in favour of the tax; but Mr. Burke's arguments were perfectly conclusive, and they had changed the opinions of many of those who were disposed to decide in favour of the measure. But at present, when the public duties called the Irish gentry away from their country, and when so many possessed property in both parts of the United Empire, how could it be consistent with justice to impose such a tax? The question was altogether beyond the direct interference of the legislature. But the most material object to be kept in view by the Committee would be, to satisfy the people of England by its inquiries. There was, unquestionably, a great practical injustice in the working of the Poor-laws at present. Although the greatest abuses existed respecting the passage of Irish labourers into England, he must confess that he felt averse to imposing any restriction on a free passage. His hon. friend proposed imprisonment as a check, he would probably confine all the Irish labourers who came to Liverpool in that town at the expense of the corporation; but, of all checks to immigration, imprisonment would be the most useless and objectionable.

General *Gascoyne*: I said imprisonment and hard labour.

Mr. *Peel* continued: Then the passengers would never come again. But it would not be a cheap way of getting rid of Irish labourers, to build a jail and support them at the expense of the rest of the population. The best way would be to find an open market for the poor man's labour, his only commodity; and any laws to prevent the poor man from passing freely from one part of the country to another would be pregnant with injustice. As to large institutions in Ireland, to receive the poor who were unable to provide for themselves, he despaired of any effectual remedy from such a scheme. This was the worst system that could be introduced; for it was providing not only food but lodging, which ought not, he thought, to be done, except in cases of disease, or decrepitude from accident. He much doubted if the introduction of the English Poor-laws into Ireland would relieve the poor of England; for England did not suffer from Irish distress, but from the invasion of Irish labourers. The English farmer had the benefit of cheap labour, by the influx of Irish poor. The Poor-laws in Ireland would increase distress, as they would prevent the building of cottages, and have other injurious effects. They would probably banish from the country a number of persons of small fortunes, who would not like to be subject to the additional annoyance of the Poor-laws. Although he thought it a dangerous experiment to introduce the English Poor-laws into Ireland, yet the proposal ought not to be rejected without the most deliberate inquiry. The Committee, however, would only have to consider the distress which existed among the labourers, and the best means of providing them employment and relief. In that view of it he gave his cordial assent to the Motion.

Mr. *Slaney* was sorry to observe, that the hon. Mover had taken too partial a view of this subject, his mind being evidently made up before he moved for the committee; and he lamented, too, that the right hon. Gentleman (Mr. Peel) opposite seemed to think that almost no relief by a measure of this nature could be introduced into Ireland. Sure he was, that something must be done to raise the moral character of the Irish peasantry. He saw well the prudence of giving no distinct pledge on this subject, until the labours of the Committee should be concluded. He would not detain the House at that late hour, but reserve to another opportunity the expression of his views. He begged, however, to be allowed to observe, that unless something were done to prevent the influx of Irish peasantry into this country, our own peasantry would soon be as badly off as the Irish. In the last year no less than 50,000 deck passengers came over from Ireland into this country. The injurious effects of this influx must be obvious to every one. He was averse to introduce the English system, with its abuses, into Ireland, but he must say he thought that something might be done by a system like our own, but relieved of the abuses which had grown up here. The Committee, however, would be the place for investigating this question.

Mr. *A. Dawson* said, that the hon. Gentleman who had just sat down, assumed that these 50,000 persons from Ireland were paupers, and vagrants, and vagabonds. This was not the case; they paid for their passage to this country, and brought with them the gifts which nature had conferred upon them; their strength and their sinews. They asked for employment, and, if they obtained it, they gave, in their labour, a fair recompense for the money they received. He did not mean to say that vagrants and vagabonds did not come from Ireland, or that the House might not legislate upon vagrants; but he did protest against the industrious Irish, who earned all they received from this country, being confounded with Irish vagabonds who came to ask English alms. Let him, however, tell the House that they could not, by legislative enactments, prevent labour from finding its level. As to relieving Ireland, and bettering the condition of the people, hon. Members speculated upon emigration and the Poor-laws, while an obvious mode, which presented itself to the view of every one, was passed over. He would say, give the Irish employment in Ireland, which might be easily done. There were in that country, 2,000,000 acres of bogs, which were a standing reproach to the Government. By the Reports of Commissioners, it appeared, that if these bogs were drained, they would, in ten years, be converted into fertile land, at a profit of 200 per cent.

Mr. *Slaney* said, that he had applied neither the term vagabond nor vagrant to the Irish who came over here. He had not wished to apply such terms to them, and if he had so wished, still, surrounded as he was by so many sensitive Members from the sister kingdom, his prudence would have got the better of his wish.

Mr. *Monck* said, that at that late hour he should detain the House but for a very few moments. He did not think that the influx of the Irish was so great an evil as had been represented, in regard to its effects upon our own peasantry. For, in the first place, the influx was chiefly confined to London and the great towns. In the country it lasted only during harvest-time. Against this evil, however, such as it was, our Poor-laws were our security, and did not, as it had been supposed they did, increase the evil. For, if the Irish offered their labour at fifty per cent under our own labourers, the farmer would not accept the offer, because he knew that if he did, the English labourers would next day come upon him for relief as paupers.

Mr. *O'Connell* begged to notice an expression which had fallen from the hon. Member for Shrewsbury. The expression was calumnious; and although he was sure the hon. Member had not so intended it, yet he felt it necessary to notice and to correct the expression. The hon. Member had talked about raising the moral character of the Irish peasantry. Now he begged leave to tell the hon. Member, that, by the example of England, this could not be done. On the contrary, while crime was rapidly increasing in England, it was on the decrease in Ireland. With respect to the subject before the House, he would not detain it by any observations of his upon it. He would only remind the House, that the distress, which was on all hands admitted to exist in Ireland, prevailed among an industrious and numerous population, who were blest with a most fertile soil. Would it be said that no remedy could be applied to distress in such a country as that?

Sir *C. Cole* said, that with his experience as a magistrate of the mischiefs of the Poor-laws in this country, he could never think of advocating the extension of those laws to the sister kingdom.

Mr. *Slaney*, in explanation, said, that he had not used the words "moral character," in the sense in which the hon. Member for Clare had understood them.

Motion agreed to, and Committee appointed.

Mr. *Trant* moved, "That it be an instruction to the Committee, to inquire how far the 43rd of Elizabeth might be made applicable to the poor of Ireland."

The *Speaker* said, that the Committee, from the wording of the Motion, had already power to extend their inquiries to that point; and it was unusual to give an instruction to it to do that which it already had the power to do.

Mr. *Hume* said, that if there were no objection, he would move that Mr. Trant's name be added to the Committee, and he might submit his own views to it.

Lord *F. L. Gower* could have no personal objection to the hon. Member's name being added to the Committee; but, on general principles, he objected to the proposition, because other hon. Members might make similar ones, and so extend the Committee to the whole House.

SCOTCH JUDICATURE.] The *Lord Advocate* rose for the purpose of bringing forward his Motion regarding the Trial by Jury in Civil Causes, &c. in Scotland.

Mr. *Hume* and Sir *George Warrender* pressed the postponement of the important subject at so late an hour.

The *Lord Advocate* consented to defer the subject till to-morrow, taking the chance of being then able to bring it forward.

Mr. *R. Gordon* wished to hear from the

only Cabinet Minister present, whether the projected judicial reforms in Scotland would produce an increase of salary to the Judges of Scotland. He could not but recollect the attempt of the kind last Session.

Mr. *Herries* replied, that as the subject was postponed, any statement like that now called for would be premature.

Mr. *R. Gordon* added, that last year the Chancellor of the Exchequer had also refused to answer, and his reason was very soon discovered. He wished to augment the salaries of the judges.

COAL TRADE.] Mr. Alderman *Wood* said, it would ill become him, at that late hour of the night, to take up the time of the House. He would therefore merely state, that the corporation of London were anxious for an inquiry on this subject, as well for other reasons as to see if another method of selling coals,—namely, by weight instead of measure—might not be resorted to with advantage to the public. He begged to move that "A Select Committee be appointed to inquire into the state of the Coal Trade at the Port of London,—into the delivery of Coals in London, Westminster, the liberties thereof, and in certain parts of Middlesex, Surrey, Kent and Essex,—and into the prices of Coals in the Port of London, and in the ports of shipment, with the view of determining whether any and what restrictions should be attached to the supply of Coals."

Sir *M. W. Ridley* rose to second the Motion. He assured the House that the Coal-owners were extremely anxious that this inquiry should be instituted, and that they would be happy to render all the assistance, and to give all the information in their power to the Committee.

Mr. *Rumbold* proposed, as an Amendment, to add to the Motion, after the words "Port of London," the words, "and other ports."

Mr. *F. Lewis* suggested that the Motion already carried the inquiries of the Committee far enough, by including the Port of London and the ports of shipment.

Mr. Alderman *Thompson*, in supporting the Motion said, that the chief object of the City of London, in wishing for this Committee was, to relieve Coals brought to the Port of London from any unnecessary charge, and he hoped, indeed he had reason to believe, from what fell from the hon. Baronet (the Member for Newcastle), that the Coal-owners at the Tyne, would meet the inquiry in the same fair spirit.

Mr. *S. Wortley* said, that nothing was more accordant with the wishes of the Coal-owners of the North, than to meet the inquiry in the same spirit in which it was proposed. He hoped his hon. friend would not press his Amendment. The subject it embraced was one of much interest, and an inquiry into it would no doubt be hereafter instituted, but it would extend the labours of the present Committee too much. It would be of sufficient importance to form the subject of a separate inquiry, and he hoped it would be gone into hereafter.

Mr. *Rumbold* said, he had now no wish to press his Amendment.

Mr. *Liddell* assured the House that the Coal-owners of the North desired earnestly to advance the objects for which the Committee had been moved.

Sir *T. D. Acland* gave his support to the Motion. He was glad that inquiry was about to be instituted, and he hoped it would lead to the total repeal of the unequal and very unjust tax which was levied on Coals.

Mr. *Holdsworth* expressed a hope that the other parts of the inquiry would be taken up at a future time.

Motion agreed to, and Committee appointed.

Mr. *Herries* was much gratified at the appointment of a Committee of Inquiry upon that subject, and equally so at the selection made.

Mr. *Hume* observed, that in the Committee the Coal-owners were represented; the City of London was represented; the owners of the ports were represented. He wished to know what names were put on the Committee on behalf of the public? He therefore proposed the addition of Sir T. D. Acland's name.

Mr. *Herries* said, the name of a Member from each of the counties near London, and one of the Members for Westminster, would be extremely desirable. He thought this selection extremely good.

Sir T. D. Acland's name was added to the Committee.

HOUSE OF LORDS.

Friday, March 12.

MINUTES.] Petitions were presented praying for the Opening of the Trade to India:—against the Truck System:—and for the Repeal of the Duty on Coals carried coast-wise. The Transfer of Aids Bill, and the Exchequer Bills Bill were read a second time.

IRISH POOR.] The Earl of *Darnley* said, that he had had an opportunity of ascertaining, by the votes on their Lordships' Table that a proposition exactly similar to one their Lordships had frequently rejected when he had submitted it to them, had been agreed to the night before by the other House of Parliament. That proposition was for a Select Committee to inquire into the condition of the Irish Poor. It was not his intention then to say any thing on the subject, but he would now give notice, that on Tuesday next he would call the attention of the House to the condition of the Irish Poor, in order to know what were the intentions of Ministers upon the subject.

EAST INDIA CHARTER.] The Marquis of *Lansdown* said, he held in his hand a Petition which, he believed, was the first of that nature that had as yet been decided upon by all the merchants of London engaged in the private trade to India. Many of these individuals had expressed their opinions upon the subject separately, upon various occasions, but this was the first time that they had conjointly sent forth in a public manner their views and sentiments. It had been stated that the merchants trading privately to India from the Port of London differed in their opinions upon the subject, from the merchants who were engaged in a similar traffic at the out-ports of the United Kingdom. He was, therefore, requested to state, that the petitioners gave it as their opinion, that it was highly desirable that some alteration should be made in the Company's Charter. In this opinion he concurred and recommended the Petition to their Lordships' consideration.

The Petition was read and referred to the Committee upon the East-India trade.

HOUSE OF COMMONS.

Friday, March 12.

MINUTES.] Petitions were presented praying against the Return of the Member for Rye:—for the reduction of the duties on Malt and Beer:—for an alteration in the Tythe Laws:—against the renewal of the East India Company's Charter:—complaining of Distress; and praying for relief. The Mutiny Bill was read a third time. A bill was ordered to be brought in to enable the officers of the Ordnance to sue by their official names.

Returns were ordered, on the Motion of Sir JOHN NEWPORT, of the names and places of residence of the nominees in the Irish Tontines:—on the motion of Mr. HUME, of number of Midshipmen promoted to be Lieutenants in the Navy between Jan. 1st. 1827, and Jan. 1st. 1830; of the number of Lieutenants, promoted to be Commanders during the same period; of the number of Commanders promoted to be Post Captains during the same period; of the whole number of officers in the Royal Navy during the same period, distinguishing those serving afloat; of the number of persons who have received first commissions in the Marines during the same period; of the number of officers on full and half pay, and of the number who have been brought from half pay to full pay, or allowed to dispose of their commissions; of the number of Pursers in the Royal Navy during the same period; and the number of Clerks promoted to be Pursers; of the number of Masters; and of the number of Surgeons, with an account of the Surgeons' mates promoted:—of the total number of officers and clerks employed in the Commissariat Establishment since 1822:—and of the number of Distributors of stamps and the rate of per centage allowed them in the United Kingdom;—on the motion of Mr. G. DAWSON, of the quantity of Corn, Meat and Flour, exported from Ireland to Great Britain between Jan. 5, 1828 and Jan. 5 1830:—on the motion of Mr. Moore of the amount of the Excise duties on leather in Ireland and the convictions for offences against the acts composing those dutiess ince 1821:—of the persons summoned to serve on Grand Juries in Dublin since 1823.

Returns were presented of the sums of money expended for the Relief of the Poor in each county of England and Wales, in 1828-1829.

METROPOLIS TURNPIKE ROADS.] Mr. *Byng* presented a Petition from several inhabitants of the hamlets and places adjoining Kensington, complaining of the New Tolls which had been levied on them under the New Act for Consolidating the Turnpike Trusts in the neighbourhood of the metropolis. By the new regulations a toll was levied on vehicles every time they passed; and as the short stages, with many descriptions of coal and market carts went through these gates several times a day, these new regulations had added considerably to the expenses. The toll had also been raised on other coaches, so as to increase very much the sums taken from all coach proprietors, reducing their profits very much. He should, on some future day, move that the petition be referred to a committee, to inquire into the facts of the case, unless he learnt in the mean time, that the commissioners appointed to carry the Act into execution had given the petitioners relief.

Lord *Lowther* said, that he had very little doubt but that there was some mistake on the subject. It had, however, been settled in a Committee of that House, after hearing much evidence on the subject from many different sorts of persons, that to levy a toll every time a vehicle passed through the gates, would be the best for all parties, and the rate of the tolls was calculated on that principle. The toll on the short stages, of which the petitioners complained, if the stage made eight journies a day, did not amount to one halfpenny a mile, while on other roads, further from town, the rate would be nearly 3*d*., and would equal that sum were the old system of separate trusts now in existence in the neighbourhood of Kensington. Moreover, the whole charge according to weight, and stopping waggons and carts to weigh them, had been done away, and as in fact, the House had lately investigated this system, and had greatly improved it, he did not think that it would be easily induced again to enter upon such investigations.

Mr. *E. Davenport* said, that the public was, undoubtedly, much indebted to the noble Lord for the trouble he had taken on the subject, but still, he must say, that the noble Lord had given no answer to the complaint made by his hon. friend, that tolls were taken on carts and coal-waggons every time they passed through the gates. A waggon which formerly paid 6*d*., and was then free for the whole day, would now have to pay 10*s*. if it went backwards and forwards ten times. For persons living in the neighbourhood of one of these tolls this was a great grievance, which, he trusted, the noble Lord would find out some means to remedy.

Lord *Lowther* denied that such an increase as that stated by the hon. Member had actually taken place.

Mr. *C. Calvert* said, that many of the regulations adopted by the commissioners, bore hard upon the public; wheels of $6\frac{3}{8}$ inches paid a double toll, but if they were $6\frac{5}{16}$ inches, they paid only a single toll.

Mr. *Frankland Lewis* said, the evasions were so skilful and numerous, that unless the regulations were very strictly enforced, as well as made with great discrimination, it would be impossible to levy any toll. The law said, that wheels of 6 inches in width should pay one toll, and wheels of 9 inches a less toll, because the narrow wheel does the more injury to the road. To escape the payment of the heavier toll, wheels were so made, that while they were 9 inches in breadth they only brought a surface of 3 or 4 inches into contact with the road, doing it an injury equal to a wheel of that width, and avoiding the friction of the greater surface. This was an evasion of the Act of Parliament. The effect of the regulation proposed by his noble friend was, to levy the tolls in proportion to the real width of the wheels, and to levy them on vehicles every time they passed through a gate.

Petition laid on the Table.

AVON AND GLOUCESTER RAIL-ROAD.] Mr. *Charles Dundas* moved the second reading of the Bill.

Mr. *Hart Davis* opposed the Motion, on the ground that it had been brought into Parliament by the Kennet and Avon Canal Company, in direct contravention of an agreement which that Company had entered into with the Bristol and Gloucestershire Rail-Road proprietors. He trusted that the House of Commons would not sanction such a violation of a private agreement, that ought to have been binding on both parties. The hon. Member concluded by moving that the Bill be read a second time that day six months.

Mr. *Dundas* supported the Bill, on the ground that the undertaking would be beneficial to the public, and he denied that any such engagement had been entered into as the hon. Member supposed.

Mr. *Bright* opposed the Bill on the same ground as Mr. H. Davis. He said that it was a breach of a solemn engagement.

Mr. *Protheroe* supported the Amendment of his hon. friend, the Member for Bristol. The question was one which affected the private business of the House, and the private rights of individuals. If the Bill were to pass, it would give the Avon and Gloucester Rail-Road Company the monopoly of the Coal markets of Bristol, which, instead of being a benefit to the town, would be an injury to all its inhabitants.

Mr. *R. Gordon* supported the Bill. The violation of the engagement, he said, which was made the objection to it, was nothing more than a misunderstanding between parties who had different interests. The object contemplated by the Bill was, to supply Bristol with cheap Coals, which, being a public benefit, he should vote for the Bill.

Sir *Thomas Lethbridge* denied that the dispute was a mere squabble between Rail-Road Companies. It was, on the contrary, the breach of a most solemn engagement, and thinking that it was his duty, as a Member of that House, to enforce the observance of such an engagement, he should certainly vote against the Bill. He would do so, however, without any feeling of hostility towards the hon. Member who supported it (Mr. C. Dundas) and with whom he had generally great pleasure in co-operating.

Sir *William Guise* said, he had heard enough to be convinced that the two parties had entered into an engagement up stairs, of which the Bill was a violation. To that he thought the House ought not to give its sanction.

Mr. *Estcourt* said, that he would be the last man in that House to give his sanction to a violation of a solemn engagement; but from the conversation he had had with the parties, he did not think that the Bill was any such violation. There were statements and counter-statements which a committee might examine, and to examine such conflicting statements was the very business of a committee. It was unheard of to oppose the second reading of a bill on such grounds. He would say, let the parties go before a committee, which would ascertain the justice or injustice of the opposition. The House heard a great deal, almost every day, against monopolies, and as far as he saw, the Bill was not intended to give one company, as was said, a monopoly of the Bristol market for Coals, but to throw open that market, which was now monopolized, to competition. The imputation against the Bill was, that it would enable one Company to under-sell another. He should certainly vote against the Amendment.

Mr. *Monck* thought, that the engagements between individuals ought not to bind that House. He should vote for the Motion, because a committee was the only place to setttle rival claims.

The House then divided — For the second reading 37 : Against it 44 :—Majority 7.

DISTRESS.] Mr. *Liddell* presented a Petition, agreed to unanimously at a public meeting at Newcastle-upon-Tyne, complaining of the Distress of the Agricultural, Commercial, and Shipping Interests. The hon. Member admitted, that the suffering in the north of England was not as great as in the south, owing principally to the determination of the Coal-owners to continue giving employment to the people, though at a greatly diminished rate of profit. Nevertheless, the statements of the Petitioners were substantially borne out by facts. In particular, the agricultural part of the population, as well as the persons connected with shipping, and the lead-mines, were in great distress. The evils arising from two bad harvests in succession had been greatly increased by the abolition of Small Notes, and all the mischiefs arising from that measure were not yet apparent. The Act of 1826 was violated in the north of England continually, and notwithstanding the prohibition, the Small Bank Notes of the Scotch Banks circulated freely to the amount of 40,000*l.* or 50,000*l.*; on the south side of the border, the people there, like Tantalus, were placed between a paper and a gold circulation, but had very little of either. To these observations he should add nothing more, as he understood his hon. friend intended to present a Petition on the subject. He begged the House to remember, that if it expected impossibilities from the people, the people would expect impossibilities from it. If Members were not prepared to give the people the assistance which their necessities required, they ought to be prepared to contract their own expenses, so as to leave no grounds for popular discontent. The state of the currency was supposed to have material influence in producing the present distresses; but he should probably be told that nothing could be done with the currency; that was a settled question in the minds of most hon. Members: he by no means regarded it in that light; to him it was any thing but a settled question. It was stated that the annual supply of gold received in Europe had been gradually decreasing since 1800, it being, between that year and 1810, on an average, equal in value to 4,761,000 dollars, while the average supply, since 1820, had only been equal to 1,200,000 dollars; or about one fourth of the average during the former period. He would not vouch for the statement being correct, but it was worth inquiring into, and if it were correct, it would show the origin of that diminution of money-price which had taken place throughout the world. The necessities of the country would, at no very distant time, compel the legislature to reconsider its decision on the subject of the currency, and then it would be well worth considering if the Scotch banking system might not be advantageously introduced into this country, and whether, if introduced, it might not probably lead to increased confidence, and justify an augmented issue of paper.

Mr. *Bell* would not enter into all the causes of the distress, but he could not help observing, that they might thank the principles of free trade, as they were called, for much of their sufferings. He admitted that the distress in Northumberland was not so great as in other counties, still it demanded attention. Government, he thought, was surely bound to introduce some measure calculated to relieve the sufferings of the people.

Petition brought up, and ordered to be printed.

Mr. Liddell presented a Petition from Norham, in the county of Durham, complaining of distress—praying for a reduction of Taxation, and an issue of Notes under the value of 5*l*.—To be printed.

Mr. Alderman *Waithman*, in presenting the Petition agreed to at a recent meeting held at the Mansion-house, on the subject of public distress, said, that the petitioners stated most correctly, that the distress had extended itself to all classes of the community. They state, "That, under the present circumstances of the country, your petitioners feel themselves called upon to represent to your honourable House the great depression and consequent distress that now exists in the mercantile, trading, manufacturing, and shipping concerns of this city and the metropolis, and which bears with peculiar severity upon the industrious and labouring classes.

"That they are concerned to state, that the existing distress is not assignable to any temporary cause, or limited to any particular part of the empire, but extends to the agricultural and all the productive classes of the community. That there has been, for some time past, an unprecedented and rapidly increasing depreciation in all articles of manufacture and products of labour, to such a degree, that thousands of hands have been thrown out of employment, while others have only been able to obtain a precarious and insufficient subsistence." It was not alone that manufactures were in a depressed state; that the produce of labour could find no market, but thousands of hands were out of employment; these disastrous results the "petitioners say, they have no hesitation in declaring it as their decided conviction, are principally caused by the heavy pressure of taxation, rendered more oppressive by the alteration in the currency, which has withdrawn from general circulation, and productive employment, a large amount of capital, and concentrated the same in comparatively a few hands, thereby causing the taxes to approximate to the entire profits of the people, and in defect of profits to their capital, deranging the whole system of commercial enterprise, and paralysing the active industry of the country." They also inform the House, "That your petitioners have to state, that another prominent cause of the present distress, by which these evils have been greatly aggravated, are those laws which they were confidently told would improve the trade and manufactures of the country, by establishing a reciprocity of trade with other nations, but which, as other nations have not adopted a similar policy, have operated most injuriously to several branches of industry, and augmented the public distress, by allowing foreign labour to come into competition with British labour in the home markets of this country." The Petition also pressed upon the attention of the House the sufferings of the retail trade in the city of London, and the petitioners say, "That they feel it the more necessary to make their grievances known to your honourable House, as his Majesty's Government seem to be unacquainted with the real state and condition of the country; and while they have admitted, in the Speech from the Throne, 'that distress existed in some places,' they have stated, from fallacious Custom-house valuations, an increase of exports as 'indications of active commerce,' while it is notorious that the actual value of exports has fallen off to the amount of several millions a-year, for several years past, and have often yielded no profitable return.

"That they have seen with no less surprise the retail trader represented as in 'a prosperous state,' while melancholy proofs to the contrary are weekly presented by the long lists of bankruptcies and insolvencies, and still more numerous compositions with creditors." The petitioners add, "That the unparalleled oppression upon the agricultural interests affects all classes of the people, and to the distress of this, the leading interest of the country, a considerable portion of the embarrassment and losses of your petitioners may be attributed.

"They submit to your honourable House, that the diminished means of the people cannot sustain the same weight of taxation, pressing as it does upon all the necessaries of life. That the present state of the country demands every possible reduction of the national burthens, and the removal of the most oppressive taxes. That the proposed reductions of the Chancellor of the Exchequer are quite inadequate to the alleviation of the present sufferings, and cannot satisfy the just expectations of the public; and it is with the deepest concern they find, after fifteen years of profound peace, enormous civil and military establishments are still to be kept up, a profuse expenditure in places, pensions, and appointments is still to be continued, many of them necessary only for purposes of patronage and parliamentary influence.

"Resolved, That in the opinion of this meeting, the general and overwhelming distress which now pervades all ranks and classes in this country, who are not annuitants, and who do not live upon the taxes, originated in the long, bloody, and extravagant wars waged and carried on against the liberties of the people of America and of France, during the reign of George the Third, which wars were sanctioned and abetted by a very large majority of a corrupt and self-elected House of Commons.

"The petitioners, therefore, most humbly pray of your honourable House to direct an immediate inquiry into the extent and causes of the general distress that now unhappily prevails throughout the kingdom, in order that your honourable House may be enabled to apply those remedies which in your wisdom may appear best calculated to arrest and remove the evils above respectfully detailed."

The petition spoke his own sentiments so fully that it was not necessary that he should trouble the House on this subject. He could add that amongst all classes of the people there was a demand for relief. He, of course, could not know what would be the propositions of the Chancellor of the Exchequer, or what he intended to submit to the House for the relief of the people; but he must say, that in order to satisfy the just expectations of the people, the diminution of the public burthens must be very great. The petition, amongst other causes of the public distress, asserted that much of it was attributed to the ruinous wars against America and France, which a corrupt and self-elected Parliament had enabled the Crown to carry on, and he therefore hoped that the time was at length come when the Parliament would seriously think, in obedience to the voice of the people, of reforming itself. He had often heard it said, that the sufferings of the people were owing to a transition from a state of war to a state of peace, and to the effects of machinery upon manufactures. He thought the peace had now lasted for too many years to allow the argument founded upon the transition to have much weight; and as to machinery, that also was too long in use to leave such mischievous consequences as had been attributed to it. Up to the year 1820, trade was suffering to the extent of at least twenty per cent, as compared with its former more prosperous condition. Between that period and the present time, the depreciation could not have amounted to less than thirty-seven per cent; and altogether the manufacturers of this country had, in competing with those of the Continent, to contend against difficulties equal to sixty per cent. He fully concurred with those who thought that many of those evils, he meant the evils out of which the present distress arose, proceeded from the changes in the currency, and he was quite ready to admit that effectual relief could not be obtained by any removal of taxation which was within the power of any minister. It was totally impossible that his Majesty's Government could take off a sufficient amount of taxation to afford the required relief. On that subject he should say no more, nor did he mean to detain the House by any observations on the subject of free trade, or rather what was improperly called free trade, but what was so called was no such thing; it was any thing but free trade. The trade of this country was taxed seventy-five per cent, and yet, when admitting foreign manufactured goods at thirty per cent duty, they were told that that was free trade. For his own part he entertained not the slightest doubt that the accumulated evils under which the country was suffering proceeded from mistaken and pernicious legislation. As to the meeting from which the petition emanated, he could assure the House that he never witnessed a meeting more free from party feeling. The individuals composing it appeared to have been animated with but one spirit; they had no animosity against his Majesty's Ministers, or against any body of men who might be called to the councils of the King; they sought but one object, the alleviation of the present distress, and seeking that earnestly, they were indifferent from whose hands they received the boon. He concluded by entreating his Majesty's Ministers to turn their attention seriously to the alarming state of the country, for if prompt and effective measures were not taken, they might look forward to a degree of discontent and clamour with which they might in vain endeavour to contend.

Mr. Alderman *Thompson* bore testimony to the good order and decorum which prevailed at the meeting in question, and to the total absence of party spirit which seemed to prevail. He also bore testimony to the distressed condition of the retail dealers of London, and having done that, he wished to proceed no further, until he heard the views of his Majesty's Government on the subject of taxation.

Mr. Alderman *Wood* would say nothing about free trade, and as to taxation, he hoped that the country might look for considerable reduction. He begged leave to be allowed to state, in reply to an observation from the hon. Member for Clare, made on a former evening, who had censured the Lord Mayor for not allowing the meeting to be held in Guildhall, that this was appropriated to the meetings of the Livery of London, and it could not be used for any other purpose without the leave of the Corporation. The Lord Mayor had only done his duty, and the hon. Member had cast an unjust reflection on a humane and honourable-minded man, who was anxious to do every thing in his power to promote the liberties of the people.

Mr. *Ward* said, he was unable to attend the meeting, in consequence of having to be present on a committee of that House, but he had every reason to believe, though many persons of much consideration in the city were absent, that, generally speaking, the meeting was very respectably attended; he, therefore, though not concurring fully in the statements of the petition, thought it his duty to recommend the petition to the serious consideration of the House. He could not agree with the petitioners that any portion of the distress was owing to the malconstruction of the House; and he should always be opposed to parliamentary reform.

Mr. *Hume* said, he agreed with the petitioners that the House, as at present constituted, was not the actual representation of the public or of its mind; but he should, notwithstanding, be very sorry to let several of their statements go forth to the public as though they were the echo of, or in unison with, the sentiments of that party in the House with whom he generally acted. The burthen of this petition, and the continued burthen of the hon. Alderman's speeches, who, no doubt, had a great hand in the composition of this petition, and a number of others like it, was, that export prices had experienced depreciation sixty or seventy per cent. This was echoed back again from other parts of the kingdom; the hon. Alderman and his supporters all the while forgetting that the raw commodity, out of which these articles were manufactured, had fallen to a third, or even in some instances, to a fourth part of their former prices. The cost of cotton had fallen from 150 to 200 per cent. If only three-fourths, then, of our exports consisted of cotton, the merchant, manufacturer, and exporter, must put the difference between this depreciation and the depreciation of sixty or seventy per cent on the price of the wrought article into their pockets. Thus on one article the total depreciation was accounted for without any loss whatever to the weaver. Taking, however, the average fall of price on all manufactured articles as equal to one half, still the depreciation of price on the raw material was so much greater, that the manufacturer or merchant must always be putting into his pocket a profit on the transactions between this and other countries importing our goods. Besides, when cottons rose, as they did, from 6*d.* to 8*d.* to 10*d.* to 1*s.* a yard, did the manufacturers ever come to Parliament and beg to be restrained in their excessive profits by an act of the legislature, cheerfully giving that excess of profit towards the reduction of taxation? But it was really a matter of wonder to him how assertions such as this petition was crammed with should be echoed from Manchester and other places, the abode of intelligent beings. Was it that they treated every thing which came from the hon. Alderman as gospel, because his views were most convenient for them to adopt? The hon. Alderman complained, that the system was not one of reciprocity; but so said he; there was no reciprocity in the hon. Alderman and the tradesmen's system; for when they were putting enormous profits in their pockets, they contributed no part to the public emergencies. He agreed with the hon. Alderman, that much of the present embarrassment originated in the alterations in the currency, but not to the extent imputed by the hon. Alderman; but he certainly admitted there were times, and this was a crisis, which strongly reminded every rational mind of the imperative necessity of adopting the most rigid economy and retrenchment. So far he agreed with the petition, but he thought that neither the petitioners nor the hon. Alderman had substantiated their averments against free trade.

Mr. *Robinson* said, that he believed it to be impossible for the present system to go on without such a reduction of taxes as would raise the wages of labour and the profit on capital. He had no doubt the opinion which he had stated would be forced upon the attention of ministers and the legislature. The hon. Member for Montrose had endeavoured to maintain that no actual decrease had taken place in the value of our exports, inasmuch as a greater reduction had taken place as to the cost of the raw materials, which we exported. But he would ask the hon. Member, whether he for one would maintain that the price of exports was a criterion of the real condition of a country, at least, of the profits of the exporter. He could speak from experience, and say it was not; for he had exported commodities which had cost hundreds of thousands of pounds, on which he had not received more than sixty per cent of the value in return. In fact, parties were compelled to export. The manufacturers were compelled to keep their machinery in motion, and producing more than was wanted at home, they were compelled to export. Formerly, the English merchant only exported on order, now he exported on the chance of finding a market.

Mr. *Maberly* contended, in opposition to those who condemned free trade, that since its principles had been acted upon, our exports and imports had annually increased; that the commercial interest had been extending their dealings, and, as he took it, their profits. It was now an established maxim, that high duties acted only as a bounty upon smuggling, and so far to the injury of the revenue. The duties now levied were the maximum which could be enforced against the smuggler and any attempt to raise them would only encourage smuggling. The Government had not the power to regulate prices, and either there must be an approximation in prices and duties in this country, to those of other countries, or the whole trade of the country would be carried on by the smuggler. Government had been compelled to resort to what the hon. Alderman called the free trade system. If, therefore, the Government should profit by our imports, and the consumer have them at a reasonable price, and a demand be kept up for our exports, there must be an approximation to free trade duties.

On the question that the Petition be brought up—

Mr. Alderman *Waithman* said, he felt considerable surprise at the observations of the hon. Member for Montrose, upon the petition he had had the honour to present, especially as in presenting it he had not entered into any arguments upon the matters it contained, but merely stated its allegations and among others, those respecting what was erroneously called free trade; which seemed to have aroused the hon. Member's feelings. Whatever credit he might give to his hon. friend for his public exertions, and however he might yield to him in other matters, he could not on this subject, and he must say, that his hon. friend seemed to understand very little of the principles of trade, and to be bewildered with theories of political economy. Having himself, been connected with trade forty-two years, and having been in the daily intercourse with several of the most intelligent persons in the greatest trading community in the kingdom, it could not be presumption in him in claiming to understand such subjects as well as his hon. friend, indeed it would be highly reproachful to him were it otherwise: with respect to the reiterated assertions, that the prosperity of our foreign trade was to be estimated by the quantity of goods exported and not by the value of those goods, however such assertions might pass in that House, they were so manifestly absurd, as to excite the laughter of every man acquainted with business. According to the wild theories of the political philosophers of the present day, the more of our labour we gave away to foreigners the better it was for the country. He was a friend to free trade, properly so called, he was a friend to trade upon equal terms, but in this manufacturing country we had only our labour to give in exchange for the commodities of other countries, and the raw material constituted but a small portion of the value of commodities. There was at present a great depression in the price of labour; that was the great subject of complaint, and labour, in all the articles of consumption, was taxed seventy-five per cent, which was, in fact, a tax on raw material, for the labour, with the tax upon it, must be paid for by the price of the manufactured articles; could that be called free trade, or could there be any reciprocity when we admitted foreign manufactures at a duty of thirty per cent, while our own labour paid seventy-five; when other nations would not admit our manufactures in return, and our own labourers could not find employment. He had stated that there had been a fall of sixty-three per cent in the price of commodities since the peace; the hon. Gentleman said, that traders had had advantages to the same extent during the war, but the hon. Gentleman must know that the rise, during war, was in consequence of continued taxation, during a period of thirty years from which rise they could gain no advantage, and by which alone taxation could be supported. What the petitioners complained of was, that by pernicious legislative measures, there had been a rapid fall in the value of property, while the taxes were undiminished; and that they could not sustain the same burthens out of diminished means. The fall since the change in the currency was forty per cent; against this few men could stand; in numerous instances the whole capital had been annihilated which had been by years of labour and industry accumulating. No less than 1,600 bankruptcies had taken place in the last year; how many partners, how many wives and children, might have been involved in their ruin, making together probably some thousands, he could not say, but adding to those the still greater list of insolvencies, and the numerous compositions with creditors, it was evident what scenes of trying distress must be witnessed in every part of the country. There was another delusion which seemed to have run away with political economists. They were for reducing labour, and sacrificing our internal trade, by far the greatest and most valuable, under a notion that we could increase our foreign trade, and better compete with other countries. Sensible as he was of the advantages of foreign trade, still it formed but a small part compared with the home trade; the whole annual exports were about thirty six millions, if they were all profit the sum would go but a little way in paying our national expenses. He was surprised to hear the observations of the hon. Member for Abingdon, who ought to know better; and if the hon. Gentleman maintained that quantity and not value was to be the criterion of the prosperity of trade, he would ask them where they would stop. The value of exports had declined nine millions a year, or about one-fifth on the average of several years; now if this were advantageous, if it were a mark of prosperity, when the value of our exports fell off one fifth, we should be still more prosperous if they declined one half, or even two thirds and he would again ask, where they would stop. Would any merchant who exported twenty thousand pieces of an article, for 20,000*l.* think it more advantageous to export twenty-five thousand pieces and receive only 15,000*l.* but that was precisely the proposition those philosophers maintain. The whole assertion was too absurd to be reasoned upon. But he would deny that we could not compete with foreigners. He believed that if our goods were twenty-five per cent higher, we should export an equal, if not greater amount; for we brought the foreign markets down, as well as our own, by the abstraction of gold from the continent by the currency bill, and our impolitic measures respecting trade; and the competition in foreign markets was a competition amongst the sellers of our own goods much oftener than a competition of our goods against those of foreigners. He had read many of the publications upon political economy, but he confessed with little advantage, and scarcely two of them agreed. When Mr. Ricardo stated that the depreciation, by adopting our metallic standard of currency, would be three or four per cent, and when he found the depreciation actually was forty per cent, he threw Mr. Ricardo aside. When some of these political economists maintained, that absenteeism was no evil; that it was the same thing whether the Irish landlord spent 5,000*l.* a year in Dublin or in England—that it was the same thing whether persons who were receiving five millions a year out of the taxes at home, expended the money in Paris or in London, he would ask what rational man could attend to them; and were not, he would ask, common sense and common experience, safer guides. It had also been maintained, and gravely stated in that House, that it was of no consequence at all whether France took any goods of us in return for her manufactures, or gold; for we had only to send our manufactures to South America, to obtain the gold, and this was advanced by members of the new school, at a time when it was known that South America had been glutted with our goods, for which we could not obtain any profitable return. The petition he had presented stated that the unexampled distress and embarrasment of the country had been occasioned by the late wars against the liberties of the people of America and France supported and abetted by a corrupt Parliament, and now the very persons who had been enjoying places under this system, and had been supporting those oppressive measures, were turning round and declaiming against all interference with the internal concerns of any other nation. He would take some credit to himself for having opposed the late war against France from its origin, and for having brought forward a petition from the City, which was presented to that House so far back as January, 1795—thirty-five years before the time he was speaking—praying the House to disclaim all intentions of interfering with the internal concerns of France, and to take such measures for restoring tranquillity as might be consistent with the honour of this country. The prayer was rejected, the war was most unjustly persisted in, and our debts and taxes, with our present distress and calamity, were mainly to be attributed to our unfortunate interference; from beginning as accessaries we became principals, and had interfered with the internal concerns of almost every power upon the continent, where tyranny was to be restored or upheld; but now the very supporters of those ruinous and tyrannical measures, told the people that we must not interfere with the internal concerns of any other country. Every where had we aided and abetted tyranny, but in no one instance had we interfered in aid of the oppressed, or in support of public liberty. And what advantages had we derived, what gratitude had we experienced? We had expended our blood and treasure to restore the Bourbons, and so little gratitude had they, so little influence did we possess, that although we admitted their produce and manufactures, we could not prevail upon them to take in return a piece of cotton. We had set one monster upon the throne of Spain, and another on that of Portugal, over whom we had not the least influence, and all interference on our part, in behalf of the oppressed people, under those tyrannical governments and foul usurpations was deprecated as unjust and inexpedient. The present depression had been ascribed to a cessation of war, and to the effect of machinery; but whatever might have been their operation, that had long subsided; and it had only been since the alteration of the currency, and of the present system of commerce, that the depression had taken place; the depreciation altogether was full half, which was in effect, double taxation, and the petitioners stated, that out of reduced means they could not sustain the same burthens. There was no means he believed of meeting the evil, but by a proportionate reduction of taxes, or an extension of the currency. How far it was practicable to make an adequate reduction of the taxes, he would not say; if the attempt were made they must begin at the top, and go down to the bottom. Establishments must be greatly reduced, and salaries of every description be cut down; without that, the extension of the currency would become unavoidable. It was not a matter of choice but of necessity; the House must apply a remedy, for the same system could not go on with any safety. The representation of Parliament, too, was wholly unsuitable to the present state and condition of the country; and unless some change was made from within, it would, sooner or later, be made from without. It was impossible to go on with a population of fifteen or twenty millions, and a debt of 900 millions, as we did with a population of five millions and no debt at all; this was impossible, and therefore he would contend that there must be a great alteration in the system of Government.

Mr. *Maberly* explained, that his allusion was not made to the value of the exports and imports, but to their quality and quantity.

Mr. *O'Connell* thought this an exceedingly proper opportunity to explain, that the worthy Alderman's allusions, strong as they were, could not apply to a reformed House of Commons. Such a House would have prevented the evils complained of.

TREASURER OF THE NAVY.] The *Chancellor of the Exchequer* [looking at the clock] suggested that it was time to proceed to the Order of the Day for the House to resolve itself into a Committee of Supply. The Order of the Day was accordingly read, and on the Motion being put,

Sir *James Graham* rose to submit the Motion, concerning the office of Treasurer of the Navy, of which he had given notice. A very painful circumstance, he said, of a domestic nature, had almost compelled him to abstain from bringing forward his Motion, and had it not been that it would have seemed disrespectful to the House to postpone his Motion a second time, he should not have undertaken the task, which he felt he should perform imperfectly. He threw himself, however, on the indulgent favour of the House, on which he thought he might calculate, and even on its sympathy. The object of his Motion was of a painful character, and it might seem even invidious to complain of the appointment of his right hon. friend to an office—he said friend, and he hoped the right hon. Gentleman, the Treasurer of the Navy, would still allow him to use that name, but when he considered the circumstances and wants of the people, and the professions made by the Government at the opening of the Session—when he considered the calls made by a suffering country, for economy and relief, and the engagements voluntarily entered into by his Majesty's Ministers, that they would make every possible saving which could be effected without detriment to the public service, he was bound to proceed. They had, by filling up the place of Treasurer of the Navy, acted inconsistently with their voluntary engagements. On this point he and his Majesty's Ministers were at issue, and he sought, by his Motion, to obtain the opinion of the House on the subject. He would first disembarrass the question of circumstances which did not belong to it. The right hon. Gentleman would first allow him to assure him that he was not actuated, in bringing forward the question, by any ill-will towards him. In common with every man who knew that right hon. Gentleman, he entertained for him a very great respect; he saw, however, a difference in his conduct which might, perhaps, be accounted for by a change of circumstances. He had resigned office in 1828 with his friends, and he had accepted office in 1829 without his friends; why he had done this it might be impertinent in him to ask, and certainly it was foreign to the object of his Motion. He was bound, however, in the outset, to correct an error into which he had fallen. He had understood, and had so stated on former occasions, that the right hon. Gentleman held a patent office under the Customs, from which he received some emoluments. It was an office which conferred the exclusive privilege to publish a Shipping List, with a statement of what ships cleared outwards, their cargoes, and various other information of this description. He had learned, however, that he was in error, and that the right hon. Gentleman was not in possession of any emoluments from such an office. The reversion, he believed, had been granted to him in 1817, but at present he did not enjoy any emoluments beyond the 2,000*l.* a-year belonging to his office as Treasurer of the Navy. Having thus cleared his ground, he would proceed to discuss the question. Not being precisely acquainted with official business, he had found it necessary to seek for information from others. He would first refer to the statement made by Lord Goderich, when he was Chancellor of the Exchequer in 1826, and who having filled the office of Treasurer of the Navy, knew all the duties of the office to which the right hon. Gentleman had been appointed. The noble Viscount was contending that it would be improper to annex the office of Treasurer of the Navy with that of President of the Board of Trade. In his argument on the subject, he thus described the duties of that office: "He could assure the Committee that it was very far removed from any thing like a sinecure, and that it would be impossible to transfer its duties to the Board, as had been preposterously supposed, without injury to the public service. The business of the Treasurer was not merely the acceptance of bills drawn upon him by the Commissioners of the Navy. It was also his duty to see that the money was paid to the parties who had a right to receive it. He had also to attend to seamen's wills, which was in itself no inconsiderable source of employment. Until within a few years back, the law was very defective as to seamen's wills, and frauds to a great extent had been committed on individuals, and on the public, by the facility with which money was obtained under fictitious wills. By the regulations which had now been established, the Treasurer of the Navy was personally responsible for any sums of the public money thus paid to individuals to whom they were not legally due. If, then, the duties and responsibility of the Treasurer were thrown upon the Paymaster, who had only 1,000*l.* a-year, he did not think that those duties would be efficiently performed." He used the words of Lord Goderich in another place. "Thus, the only difference between the office of Treasurer of the Navy and the Paymaster, was the responsibility, the personal responsibility to which the former was liable, and the latter not." This was the great point insisted on by the Chancellor of the Exchequer, and the description given by him of the office in the year 1826. The right hon. Member for the county of Edinburgh, had, a few nights ago, announced the prospective intention of Government to discontinue the office of Paymaster of the Navy whenever an opportunity for doing so should occur; and the Ministers had thereby distinctly recognized that, of the two offices, the treasurership and paymastership of the navy, one only was necessary. The ground taken by the Chancellor of the Exchequer for the continuance of both those offices, was the sole narrow ground of the responsibility of the Treasurer. The great principle of responsibility, however, as far as respected security to the public from individuals, was proved to be worth nothing when put to the test. The best security for the public was short accounts, simply arranged, which were frequently audited. The responsibility of individuals bound in sums of money was found, on emergency, to be worth little or nothing. What was the test of this responsibility? A few days after the Chancellor of the Exchequer had given this description of the duties of Treasurer of the Navy, he had stated that there had been a defaulter in this office—a gentleman by the name, we believe, of Tweedie—and then it came out that what Lord Goderich called responsibility was irresponsibility. He stated, "that on his entering the office, he found several gentlemen in whom he was obliged to repose confidence, although he had not appointed them; but he found, one fine morning, that he had become legally liable for a sum of between 30,000*l.* and 40,000*l.* One gentleman connected with the office went off to America with 25,000*l.* of the public money, and another soon after became a defaulter to the amount of 10,000*l.* on the discovery of which, that unfortunate person put a period to his existence." From one of those persons 15,000*l.* had been recovered; but another person had escaped with some of the public money, and from his securities nothing had been recovered. Again, Lord Goderich stated, "that 30,000*l.* had been made away with, but Government having learned the route of the defaulter, were fortunate enough to catch him in America. They could not make him a prisoner in that country, but after some threats, 15,000*l.* or 16,000*l.* were refunded, and his securities were obliged to pay largely; but, notwithstanding, the public lost by the transaction; about 6,000*l.* was the sum the other defaulter made away with, but nearly the entire amount had been recovered from his securities. He (Lord Goderich), however, had fully satisfied the Lords of the Treasury that he was not to blame, and that Right Honourable Board acquitted him accordingly. And, in order to put a stop to similar transactions, a bill was brought into Parliament by which their recurrence was prevented." By that Bill the responsibility which previously existed had been diminished; and it appeared that if the Treasurer of the Navy were able to satisfy the Lords of the Treasury that he had not acted carelessly, they would not call on him to make good any deficiency. The responsibility, therefore, was nothing. If evidence could not be produced that the Treasurer was a *particeps criminis*, his responsibility was not even the shadow of a shade. The hon. Baronet then expressed his great regret, that the Finance Committee had died out; and his hope, that the Member for Abingdon would, by a Motion, have an inquest held on it. He should be glad to see it revived; for he knew that would be acceptable to the country, and would, he believed, be salutary in its effects. He placed great reliance on the Chairman of that Committee, of whose zeal and diligence the House had already received abundant evidence. The hon. Member also eulogised the Master of the Mint, for the clear statement he had given before that Committee, of the financial state of the country. He had made the public accounts intelligible, which they never were before. He remembered, too, particularly well, the evidence given by two members of the Board of Admiralty. They were to be found in the Fourth Report of that Committee. The hon. Baronet then quoted from that Report the evidence given by the Member for Dumfries (the hon. Keith Douglas), who stated "that the office of the Treasurer of the Navy is a nominal office, without any necessary duties to discharge, and without any fixed responsibility," and by the gallant Vice-admiral (Sir George Cockburn, we believe), who still has a seat in the Admiralty, who said, "I have always thought that the Treasurer of the Navy ought to be an efficient officer in his post, instead of being, as now, one of the officers of state, holding the situation nominally on account of the salary. It is a thing I have always thought wrong." These opinions, he contended, shewed that they did not think the Treasurer had any fixed responsibility, though they regarded his office as one that ought to be effective and useful. He begged it to be understood, that it was no part of his case to propose the abolition of the office. Mr. Burke, in 1782, when he regulated the offices of the country, and the Finance Committee of 1817, had both left that office untouched, and it would be presumptuous in him to call upon the House to affirm that an office ought to be abolished which had been so recommended. His case was this—to ascertain if the Treasurership of the Navy could be preserved consistently with the pledge given by the Government, that the most rigid economy should be observed, or if it could be connected with some other office, and the salary saved. He was disposed to rely a good deal on precedent, and would shortly state to the House the precedents on the subject. He would not, however, go further back than 1782, when Mr. Burke had regulated the offices of the state. By looking through the whole period since that date, it would be found that for about two thirds of the time the office had been held conjointly with some other effective and responsible office, and only held about one third separately. In 1782 it was held by Mr. Henry Dundas, afterwards Lord Melville, and he held it from 1782, except for a short time in 1783, when it was filled by Mr. Townshend, to 1800, or for twenty years, and he held it part of the time conjointly with some other office, and received no salary. For the first ten years he had a salary, but then a salary was attached to his situation as President of the Board of Control, and that was supposed to be sufficient for him while he was also Treasurer of the Navy. In 1791 he was appointed Secretary of State for the Home Department, and still held, conjointly with that office, the situation of Treasurer of the Navy. In 1794 he was appointed Secretary of War, and held the office of Treasurer of the Navy, conjointly with that. In 1800, Mr. Dundas went out of office, and then the situation was held for a time by the Earl of Harrowby and Mr. Bragge Bathurst, both of whom held it separately, as did Mr. Tierney, Mr. Canning, and Mr. Sheridan, in 1806. From 1800 to 1806, therefore, it was held separately; and from 1782 to 1791 it was held separately. In 1807 Mr. G. Rose was appointed Treasurer of the Navy, and he held the office conjointly with the office of Vice-president of the Board of Trade, till 1812, and from that time to 1818, without holding any other office. Since that time the office had been held by Lord Goderich, as Vice-president of the Board of Trade, by Lord Goderich as President of the Board of Trade, and subsequently by the right hon. the Members for Liverpool and Inverness, and Mr. Vesey Fitzgerald, who were at the same time Presidents of the Board of Trade. Thus, for twenty-three years, since 1807, it had been conjoined with some other office; and since 1782, when the offices of the state were regulated, it had been held in conjunction with some other effective office about two thirds of the time. In support of the views he entertained on this subject, he would, with the permission of the House, read the opinions of men well calculated to form a judgment on the importance of the office and the extent of its duties. He would read to them, in the first place, the opinions of Mr. Tierney, who had held the office himself, and who is reported to have expressed himself in the following words, on the debate in 1826, on the question of whether it was expedient to unite the office of Treasurer of the Navy with that of President of the Board of Trade:—Mr. Tierney contended, that although the office was one which he should be sorry to see abolished, and "one which required no inconsiderable degree of care and attention, the business to be done might be gone through by one hour's application every day;" and after paying a high compliment to the efficient manner in which the right hon. Gentleman (the Member for Liverpool) had performed the duties of the office, he added—"As to the incompatibility of the two offices, will any hon. Gentleman in this House lay his hand on his heart, and say that he verily believes any inconvenience has resulted to the public service, or to the individuals holding these offices, during the last six years." Having alluded to the name of Mr. Tierney, he hoped the House would pardon him for offering to the memory of that right hon. Gentleman the tribute of respect and affection due to a well-tried friend. Mr. Tierney and Lord Bexley had both held office. One of the first acts of the economy of the present Government, was to confer a pension of 3,000*l.* a-year on Lord Bexley, who was already a rich man. Mr. Tierney, on the contrary, was contented to retire to his station in society, and live on his private fortune, the surest means of preserving an honourable and virtuous independence. Of him it might be truly said, *Regum æquabat opes animis.*—Sometimes alone, sometimes associated with or at the head of a band of well-tried friends, he continued to support or uphold the Government as his principles required him, and it was the honest pride of his friends that he lived without a pension, and the honest boast of his family, that he died without a debt. Sir Robert Walpole, who had contributed more than any man who ever preceded him to the destruction of the integrity of that House, was recorded to have declared that in a time of general corruption and debasement, there was at least one incorruptible man to be found. What Sir Robert Walpole said of Mr. Shippen might, with still greater propriety, be applied to Mr. Tierney. "I will not say who, in my time, have been corrupted within these walls, but I will say, that one man was found incorruptible." To return to his subject, he had listened with attention to the explanations given by the hon. Member (Sir G. Clerk) the other evening; but, he confessed, he was quite at a loss to find out any duties which the Treasurer of the Navy had to perform now beyond those described by Lord Goderich in 1826. It was true that the right hon. Gentleman (Mr. F. Lewis) since his accession to the office, had given notice of his intention to bring in a Bill to consolidate and amend the Acts relating to the payment of wages of seamen. The result of this, according to ordinary rules, would be, however, to diminish and not to add to the duties of the office, and therefore, no argument of additional labour or responsibility could be brought forward, beyond that which was urged at the time the subject was formerly under consideration. In order, however, to put the House in possession of the nature and extent of the duties required from the Treasurer of the Navy, and of the manner in which they were executed, he would take leave to read to them a few passages from the able work which had been sent forth by the late Chairman of the Finance Committee,—"According to Mr. Abbot's Report on the accounts of the Navy and Navy Pay Offices, it appears that there is a want of clear distinction between the duties of the account branches in the Navy Office, and those of the Treasurer of the Navy—that the operations of one run perpetually into the other, and that great labour is unnecessarily expended in filling up our printed forms, cash-orders to be attached to original bills, and other documents, as warrants for payments by the Treasurer. The present system of tracing accounts is described by Mr. Abbot, as being altogether disjointed, made up of many elaborate branches, but without a trunk to which to unite them. The abstracts, which are formed at the expense of much labour, do not carry with them any criterion for the proving of their correctness, such as would satisfy any professional mercantile accountant. In the Navy Pay Office, where the payments made by the Treasurer now employ three cashiers, and and about thirty clerks, three sub-cashiers, three subordinate clerks would be sufficient. Mr. Abbot says, that in the wages branch of the Navy Office, twelve books, which are now kept to check the Treasurer's payments, might be discontinued. He proposes the consolidation of the wages branch with the ticket and allotment branches; and says, that the advantages to be derived from it would be the simplification of the accounts and the reduction of labour, by keeping one copy of many accounts instead of two. At present, the payment of officers' and seamen's wages is made in the presence of four clerks, in order to have three clerks checking the accuracy of every sum paid by the fourth. As these clerks are selected from different branches, and as each keeps a book, so many books are kept in triplicate that no less than 1580 supernumerary books are annually kept. Mr. Abbot observes, generally, on the present system of Navy Accounts, that there is a great variation of record, without a distinction of purpose; that the whole of the business of the Accountant's department is so entirely devoid of system, that no sound repairs can be made of it; and he adds, the annual payments are at present so limited in number and amount, that there would be no difficulty in writing them all into one cash-book, and transferring every item in detail to the Journal, preparatory to forming the Ledger." Messrs. Brooksbank and Beltz, in their joint Report on the Public Accounts, agree in several of the statements made by Mr. Abbot, on the subject of the Navy Accounts, with respect to the want of arrangement, and the scattered and detailed methods of keeping the books. Now, as the object of the Bill to be introduced by the Treasurer of the Navy, must be, to simplify the accounts, and thereby reduce the labour required in inspecting them, it would follow, as a matter of course, that if one hour a day were formerly sufficient to perform those duties, half an hour a day must henceforward be ample. By a late arrangement, the Treasurer of the Navy had the duty of a Commissioner of Greenwich Hospital added to those which were required from him in the Navy Office. Now, considering that there were already three well paid Commissioners to discharge the duties of the Hospital, he thought the appointment wholly unnecessary, and calculated to add to the apparent duties of the Treasurer, without conferring any real benefit on the public. There were first—the hon. Member for Dumfries, a man of great experience and knowledge of business, a member of that Board. Then there was the noble Auditor (Lord Auckland), a man also of experience; the Secretary (Mr. Locker) well acquainted with the duties of his office; and, last of all, they had the noble Lord at the head of the Woods and Forests Department, as Chairman (Lord Lowther), than whom there could not be found a more efficient, more experienced, or more zealous man of business. He thought, therefore, the arrangement which made the Treasurer a joint Commissioner with them, was exceedingly unnecessary, and when it was considered that the Treasurer of the Navy might draw a bill in the one capacity which he might be called on to pay in the other, he thought he might also declare the appointment impolitic. Returning to the question of the late appointment, he thought he might take leave to suppose that when the Mastership of the Mint was offered to the noble Marquis, the member for the county of Bedford (Lord Chandos,) it was the intention of his Majesty's Ministers to continue the former arrangement. Either the Government, therefore, were of opinion, up to the Meeting of Parliament, that there was not such a press of business in the office of the Treasurer of the Navy as would render it necessary to disunite the two offices, or they contemplated the addition of another placeman to a band already much too numerous for the advantage of the public in that House. One of these courses must have been determined on at the time they offered to the noble Marquis the place of Master of the Mint. In considering to what office the duty of the Treasurership of the Navy might be attached, there were several which presented themselves to him as offering a much better arrangement without any inconvenience to the public service. The Chancellor of the Duchy of Lancaster might have had it conferred on him. He knew of no duties that officer had to perform which would prevent his taking on him all the responsibility of the Treasurership of the Navy. There were other offices to which it might be attached, but in his opinion none seemed so eligible for the purpose as the Vice-presidency of the Board of Trade. This would the more easily be effected, as the Ministers had, with all their professions of economy, carved out a new place in that office, only second in importance to that held by the Master of the Mint, as President of the Board. This was the office conferred on Mr. Hume, who, in reality, executed the most important duties of the Board of Trade. This office had a salary of 1,500*l.* a year, but although he had watched the public accounts with the utmost attention for the last two years, he had not been able to discover in what manner that salary was paid. Either he had been remiss in his duty, or the money was voted under some other head, for he had not, as yet, in any of the public accounts seen any specific charge made on account of the salary of this officer. This, however, was beside the question before the House. His argument was, that as Ministers had called to their assistance another officer in the Board of Trade, they had afforded a fair opportunity to make a slight addition to the duties of the Vice-President, who must be materially relieved by the appointment. He thought he should on the present occasion, command the votes of some even of the right hon. Gentlemen on the opposite benches. He did not see the Attorney General in his place, and he regretted that he did not, because the right hon. Gentleman who voted with so much zeal for the union of the office of Treasurer of the Navy with that of the Board of Trade, could scarcely now refuse his consent to add it to that of the Vice-president. That was a suit to which the right hon. Gentleman could not demur. Then he thought the right hon. Gentleman, the Paymaster of the Forces (Mr. Calcraft,) could scarcely refuse him his vote, when he considered how strenuously that right hon. Gentleman had, in 1826, opposed the attempt to increase the salary of the President of the Board of Trade, and make the Treasurership of the Navy a separate office. If the House would permit him, he would read to them a speech, such as they did not often now hear—a speech marked with the features of the good old times, and distinguished by all that fine foaming patriotism which marked the genuine Whig. The language of this speech was in fact so pithy and conveyed so forcibly, and yet so laconically, the arguments which he could have wished to use on this subject, that he thought, if the House would permit him, he could not better convey what he wished to express than by reading a few extracts from it. The right hon. Gentleman commenced by observing in his speech, and in reply to some of the arguments of his opponents, that "The right hon. Gentlemen opposite had a peculiar talent of magnifying the importance of their respective offices. One would be inclined to suppose from the extreme diffidence of those right hon. Gentlemen in speaking of their own exertions, and the manner in which they spoke of the great labours attached to their situations, that they had been forced against their inclinations to accept of their present appointments. They spoke with such feeling of the pain and anxiety belonging to public appointments, that it really seemed strange, taking their own representations, that they were ever able to persuade any men to undertake such a burthen of care and restlessness." Speaking, then, with a metaphorical language which, from its military character, bore the appearance of prophecy, the right hon. Gentleman went on to observe, "Was it indeed a fact that these distinguished posts were forced upon unwilling individuals,—that honour was thrust upon them; and that instead of large salaries and small duties being greedily caught at by hungry expectants, they were thrown back upon those who offered them with a sneer? He apprehended, however, that neither the Chancellor of the Exchequer, nor the noble Earl at the head of his Majesty's Councils, was ever obliged to beat up for recruits, and to offer a bounty for the acceptance of a place. When the Chancellor of the Exchequer held the two offices of the Treasurer of the Navy and Vice-President of the Board of Trade, it had never been hinted that the duties of the one interfered with the other, and it could not be too often stated that this was not a fit time to add to the pecuniary burthens of the public for the purpose of relieving the official burthens of the servants of the public." "This speech," continued the hon. Baronet, "produced such an effect on you Sir, (addressing the Speaker,) that you did the right hon. Gentleman the honour of appointing him one of the tellers on that occasion, and I hope that he will be my colleague to-night, and that we together shall count a triumphant majority." The hon. Baronet then proceeded to contend that one of the main motives which influenced Government in bringing forward the present question, was to throw additional patronage into their hands, and secure another Member to fill their own ranks. The Treasurer of the Navy might be exalted in consequence of this new measure, and he might be made a Member of that House, along with the rest of the Ministers; but if the House were of his opinion, they would be cautious how they admitted another placeman within the walls of Parliament. This was not the time to add to the pecuniary burthens of the public for the sake of diminishing the official burthens of the servants of the public. It was idle to contend that the two offices could not be managed by the same individual. Ministers, he knew, were besieged with applications for places; and it was the duty of the House to interfere between Ministers and the applicants, and say the offices were neither to be made nor had. If the separation of these offices went to place a political Atlas on the Treasury Bench, and to relieve the right hon. Gentleman (Mr. Peel) from a portion of that burthen which even his superior abilities—and superior he had always maintained them to be—could hardly sustain,—there might be some reason for the change; but when it was nothing more than an attempt to increase the number of make-weights which gave the Government a predominant influence in committees above stairs, he confessed he could not look on it with anything but feelings of hostility. There were already seventy placemen in that House. In two committees lately appointed, there were to be found in one, seven Members of the Government and three East India Directors; in the other, there were six Members of the Government, so that there were twelve or thirteen placemen in two committees, one of twenty-one and the other of twenty-five members. He confessed he felt a jealousy of this. He thought the Government was already much too strong in that House. When they looked at the close and steady phalanx of placemen, and the skirmishers under the denomination of Directors, Military and Civil officers, Members of the Household, and all those connected with this or any Administration, he confessed he saw a body capable of carrying any or all measures in that House which the Government required. Many circumstances prevented him from alluding farther or personally to the individuals of that body, but he would remind the Members of the House, that their constituents had their eyes on the proceedings of the evening, which would be remembered at a future day, when they were called on to render an account of their stewardship. A question of the creation of a new placeman was before them; and if they desired to show that there remained any desire to relieve the burthens of the people, and that any control remained in their hands upon the measures of Government, he implored them to prove, contrary to the imputation cast on the House by the hon. Member for Clare, that amongst them there still was some spirit and some independence. Whatever sidelong glances might have been cast towards the Treasury benches, let, he would say, this meretricious toying with place have an end, and let them prove by their conduct that in heart and soul they were bound to the people. The present time presented features which were to any mind alarming. That House was rapidly sinking in the opinions of the people, and it was most important to retrieve their character in the eyes of those who sent them there. If one spark of that fire which animated the bosoms of their forefathers, and which yielded but for an hour to the iron hand of Cromwell himself, yet remained; if they were prepared to demand that pledges lately given should be maintained good; if they were prepared to demand the fulfilment of the promise made by the Government at the commencement of the Session, that the most rigid economy should be observed in all the departments of public service—a promise broken by the present appointment to the Treasurership of the Navy, before the ink in which that promise was written had dried upon the paper—that was the opportunity to fulfil their purpose. Let the House prove to the Duke of Wellington himself that the Commons of England were not to be baulked—that promises, although lightly made, were not to be lightly broken; and that there was still spirit enough in its Members to vindicate its dignity, outraged by such a violation of engagements, and to make the opinions and feelings of the people available through the voice of Parliament. The hon. Baronet concluded by moving a Resolution, as an Amendment, "That it is the opinion of this House, the late vacancy in the office of Treasurer of the Navy afforded an opportunity to save the sum of 3,000*l.* a year, without any violation of existing engagements, and without any detriment to the public service."

Sir *George Clerk* said, that having already, on the occasion of opening the Navy Estimates to the House, entered into an explanation of the reasons which had induced his Majesty's Ministers to fill up, as they had done, the vacancy that had occurred in the office of Treasurer of the Navy, he should not feel it necessary at present to go at any length into that subject. He should endeavour, however, to follow the hon. Baronet through some of the various arguments which he had addressed to the House in reference to this matter. He did not know whether the hon. Baronet was desirous to have the salary of this office entirely abolished, or whether he wished to have the office attached to some other official government situation. The hon. Baronet had principally grounded his arguments upon the discussion that had taken place in 1826, in reference to the office of Treasurer of the Navy, and he had endeavoured to show, from what had been stated by the different speakers on that occasion, that this office had been generally looked upon as one that was always attached to some other office in the State. But the evidence of the Chancellor of the Exchequer of that day proved that a heavy degree of responsibility was attached to the office. No responsibility, in fact, attached to the Paymaster of the Navy, or the Duputy Treasurer of the Navy, but all the responsibility of the office rested upon the Treasurer of the Navy, and it therefore required an efficient individual in that office who could devote his undivided attention to its duties. He perfectly agreed with the hon. Baronet in thinking, that where so much money was continually passing through an individual's hands, and where consequently, such heavy responsibility attached to him, the private funds or fortune of the Treasurer of the Navy afforded no security to the public against malversation and the spoliation of the public property; but that very circumstance, he conceived, was quite sufficient to prove, that the only check, the only safeguard for the public, consisted in having this office filled by a person of integrity and honour, and that it was absolutely necessary he should be able to give his undivided attention to its affairs, and not have it drawn off to the business of any other department. The duties of the Treasurer of the Navy had greatly increased since the discussion had taken place in 1826 regarding that office, though the hon. Baronet had relied solely on the opinions given by several hon. Gentlemen on that occasion. He should be satisfied to rest his case upon the opinion then expressed by Mr. Tierney, who had himself once filled the office, and who then stated that the discharge of its duties necessarily occupied a considerable portion of his time every day. But he would defend the maintenance of this office apart from others, upon another ground. It was absolutely necessary that there should exist certain offices, the holders of which might have time to spare from the particular business of their own departments for the general business of the Government; particularly parliamentary business, to which members of the Government had to attend. The House must be aware that the attendance in this House formed a considerable portion of the business of such members of the Government as the Treasurer of the Navy. Now, if that officer had to attend to the business of some other department as well as that of his own, it would be impossible for him to attend to the government business in the House. Individuals holding such situations were required for the carrying on of the government business in Parliament, in order that the other members of the Government might have time to devote to the general business of the country. His right hon. friend (Mr. F. Lewis) had already given notice of a motion for leave to bring in a bill to consolidate and amend the acts relating to the pay of the navy. By means of that bill considerable reductions would be effected, and the consequence would be, an increase of responsibility and of duty to his right hon. friend. A simplification of the accounts would by no means lessen the responsibility or the business which attached to the office of Treasurer of the Navy. The hon. Baronet objected to the additional duty which the Treasurer of the Navy had to perform, as Commissioner of Greenwich Hospital. In the first place, the Treasurer of the Navy was chairman *ex officio* of the commissioners at Greenwich Hospital, and as he performed the office gratuitously, it could not be considered as incompatible with his office of Treasurer of the Navy. The hon. Baronet argued that this office should be attached to that of the Board of Trade. The hon. Baronet should recollect that it was attached to that office in 1826, when the salary of the President of the Board of Trade was only 3,000*l.* a year, and it was raised to 5,000*l.* a year by the addition of the office of Treasurer of the Navy. But it was never intended that the one office should always be attached to the other; for the President of the Board of Trade might happen to be a Member of the other House, while it was absolutely necessary that the Treasurer of the Navy should have a seat in the House of Commons. It should be borne in mind, that according to an existing Act of Parliament, the Paymaster of the Navy acted only by power of attorney, as deputy under the Treasurer of the Navy, being appointed by him; and that whenever the Treasurer went out, the deputy went out along with him. He had already stated to the House upon a former occasion, that it was the intention of Government to abolish the office of Paymaster of the Navy whenever a proper opportunity should occur, and transfer the duties to the Treasurer of the Navy, by which a saving of 1,200*l.* a year would be effected. He thought, when the House should see the considerable reductions proposed to be made in other parts of the navy, that it would attach little weight to the charge made by the hon. Baronet against ministers in reference to this office. The various improvements which had been effected in the naval departments by Treasurers of the Navy, had been made by individuals who held that office alone, and not in conjunction with any other office. From 1782 to 1792 the greatest improvements had been effected in that office as to the pay of the navy, and other matters connected with the naval service, and during that period the office was held apart from any other. During the next ten years, it was frequently held in conjunction with other offices. In 1790 Mr. Dundas held it in conjunction with the Presidency of the Board of Control. In 1799 Lord Harrowby succeeded in that office, but rose to the Presidency of the Board of Control. In 1801, Mr. Bathurst held it without any other office. In 1803, Mr. Tierney held it in the same manner. It was subsequently held by Mr. Canning. Mr. Sheridan succeeded him in 1806, and he was followed by Mr. Rose, in 1807, who held it until 1812, in conjunction with the Vice-presidency of the Board of Trade. At the latter period he gave up the onerous office of Vice-president of the Board of Trade, and he continued to hold the other office till his death, in 1818. He believed that no one could deny the great benefit the country had derived from the undivided exertions of that right hon. Gentleman during the six years of that service. Great as had been the right hon. Gentleman's talents, when Vice-president of the Board of Trade he had found it impossible to devote sufficient time to the office of Treasurer of the Navy. Whenever the business of the office of Treasurer of the Navy had been deranged, it was to be ascribed to its not having the benefit of the undivided attention of the individual who held the office. During all the time he had alluded to, from 1790 to 1818, only those individuals who held the office apart from others had been able to effect any considerable improvements. Guided by this experience he expected that the greatest benefits would result to the public service from the occupation of that office, exclusive of every other, by his hon. friend. On all these grounds he should oppose the Motion of the hon. Baronet.

Mr. *Calcraft* observed, that the allusion which the hon. Baronet had made to him was rather flattering to his vanity. All that he had to do to secure the approbation of the hon. Baronet was to reconcile the vote which he intended to give that night with the speech which he made in 1822; a task of by no means difficult performance. The proposition in 1822 was to make the salary of the President of the Board of Trade, then held by his right hon. friend the Member for Liverpool, an office of importance, giving its holder a seat in the Cabinet, the salary of which was then only 2,000*l.* a year, 5,000*l.* He concurred with the whole House that there could be no objection to such a proposition. The office was filled by his right hon. friend with great ability; and as a Cabinet office it deserved greater remuneration. The only difficulty was, how the object was to be attained. It was considered, and in that opinion also he perfectly concurred, that by adding the office of Treasurer of the Navy to that of President of the Board of Trade, his right hon. friend would take 5,000*l.* a year, without any addition being made to the burthens of the country. That was the proposition of 1822. The present proposition was, to reduce the salary of the Treasurer of the Navy 1,000*l.*; to make it an effective and laborious office with a salary of 2,000*l.*, by which the public would save at once 1,000*l.* a year; and prospectively to abolish the office of Paymaster of the Navy, having a salary of 1,200*l.* a year; thereby making the ultimate saving 2,200*l.* a year. Thus it was proposed that a high office, of considerable public duty, should be competently filled for 2,000*l.* a year less than a sinecure office was formerly held. Now, certainly, those were two very different propositions; and he could not have the smallest difficulty in maintaining the consistency of his conduct in supporting the one and rejecting the other. The hon. Baronet had been pleased to dwell at some length on the circumstance that he had united himself to his Majesty's present Ministers. Now he would defy any hon. Member to show that he had proposed, or said, or done any thing since he came into the office which he had now the honour to hold, that involved the slightest departure or dereliction of any principle which he had ever maintained. Would any man say that his acceptance of office had any thing improper in it? He had never solicited office; but he owned that he held it the highest honour of his life that he had been asked by the Duke of Wellington to accept an office in his government. He had felt highly flattered by the request. He had, however, not acceded to it in haste. He had acceded to it on mature deliberation. And, having acceded to it, he defied any man to say that in his conduct he had exhibited any dereliction of his former principles. He was proud of having joined the administration of the Duke of Wellington and his right hon. friend near him; and every moment that had elapsed since his connexion with his right hon. friend, every opportunity which he had had of cultivating his right hon. friend's acquaintance, and he hoped he might add of acquiring his confidence, had convinced him that he could not have taken a better or a more judicious step. The hon. Baronet had charged him with having formerly been a great advocate for the reduction of offices. Now, he would ask, by what Administration had so much patronage, in the shape of offices, been given up, as by the Administration in which he held a subordinate station? There was no instance of similar disinterestedness. Let the House look at his right hon. friend's reform of the law; and not at his reform of the law merely, but at the curtailment of ministerial patronage by which that reform was accompanied. If the hon. Baronet wished to bring forward any charge against him, he wished he would do so in a manner that would admit of a more definite answer. The hon. Baronet talked of what he was pleased to call "make-weights" in committees of that House. If the hon. Baronet disliked the construction of the committees to which he had alluded, why did he not complain of it when they were formed? Of one of those committees he had now the honour to be chairman; and he was very sorry that the hon. Baronet was not a member of that committee (he would propose him if he had no objection), that he might see with what fairness and impartiality the business before it was conducted. For himself he begged to say, that he would never be the tool or the make-weight of any Administration. He disliked talking so much of himself, but the observations of the hon. Baronet had left him no alternative. The proposition on which the House were now called upon to decide was, whether or not they would have effective servants in important offices of the Crown. If the Treasurer of the Navy was to be an effective officer, was two thousand pounds a year too much for his salary? If the House thought so, they would reduce it; but for himself he did not think so. Not conceiving that the allusion of the hon. Baronet to himself had been an ill-tempered one, he was heartily glad of the opportunity which it had afforded him of explaining his own conduct, and of expressing the great gratification which he had experienced from his connexion with his right hon. friend.

Lord *Howick* observed, that any doubt which he might have entertained of the expediency of his hon. friend's Motion would have been entirely removed by what had fallen from the hon. Baronet opposite (Sir G. Clerk). To the question —why not make the Paymaster of the Navy perform the duties of the Treasurer? the answer of the hon. Baronet was, that there were technical difficulties in the way; but surely those might easily be removed by an Act of Parliament. The hon. Baronet said, that it was necessary to have a person of experience in the office of Treasurer of the Navy; the fact being that the hon. Gentleman who had been appointed to that office could not possibly know any thing of its duties. It would have been a much better course, to have made an effective deputy the principal, and have saved the salary of the latter. It was not merely to the expense, however, to which he objected. There was another important point. His hon. friend near him (Sir H. Parnell), in the able work which he had recently published, stated, that if the late Committee of Finance had sat a little longer, it would have proposed to consolidate all the various offices for the payment of the public money. At present there was a Paymaster of the Navy, Paymaster of the Marines, Paymaster of the Forces, and he did not know how many other Paymasters. It was contended, on the opposite side, that the individuals who possessed these situations could not be dispossessed of them until some opportunity offered of giving them equivalent situations. The principle that was thus established and acted upon was, that if once a man was quartered upon the public, he must continue to be so. So that if any consolidation, such as that he had mentioned, were considered desirable, it could not take place until the means presented themselves of providing in some other manner for the parties in question! There was one more point in the speech of the hon. Baronet on which he wished to say a word. The hon. Baronet had adverted to an opinion of a right hon. Gentleman, that it was important to have a class of public servants who could devote their attention to the general affairs of the country. Really the opponents of his hon. friend's proposition must be at a great loss when they were driven to such an argument as that—2,000*l.* a year for devoting their attention to the general affairs of the country! When he (Lord Howick) heard what those affairs were, he might then, perhaps, be induced to refuse to vote with his hon. friend. The admission, however, of the hon. Baronet, that the two offices of Treasurer and Paymaster were not necessary, was quite sufficient for him. From that it appeared, that a saving might be effected, and on that ground alone, if there was no other, he would vote for the Motion of his hon. friend.

Mr. *Croker* called the attention of the House to the very extraordinary difference between the reasoning of the hon. Member for Cumberland and that of the noble Lord who had just sat down, and the still more extraordinary roads by which, though they differed most diametrically in their premises, they had both jumped to the same conclusion. The hon. Member for Cumberland asserted that the office of Treasurer of the Navy was not a sinecure, and that it ought not to be abolished, and he argued that it ought to be annexed to some other office. The noble Lord asserted that it was a sinecure, and that it ought to be abolished, and denied the propriety of annexing it to any office; and yet, after denying all the three points on which the hon. Baronet rested his Motion, he said—strange as it appeared to all who heard him—"I fully agree with my hon. friend the Member for Cumberland, as to the vote to which we ought this night to come." Now he must inform the House, that the two hon. Members had contrived to be at variance with each other without at all approaching either the truth or the justice of the case. He must, therefore, extraordinary as the House might deem such conduct, proceed to argue in the first instance against the assertions of the hon. Member for Cumberland; and, in the next place, against the contradictory assertions of the noble Lord; and the only apology which he had to offer to the House for doing so was, that both the hon. Members were equally distant from the truth. The hon. Member for Cumberland admitted that the Treasurership of the Navy was an ancient office, which it was necessary to maintain as an office of dignity, but which ought to be annexed to another. He argued, that as the Paymaster was doing all the real duties of that office, the Treasurership of the Navy ought to be attached to it. Now, if there was any thing to be deprecated in public economy, it was this mysterious cloaking of the real duties of one office under the pretended duties of another. What were the consequences of such a mode of transacting the business of the public? He was sorry to say that they were such that no one could defend them, much less the noble Lord on the opposite benches, who ought to have some hereditary knowledge of these two offices; for he recollected that whilst the noble Lord's illustrious father filled the office of First Lord of the Admiralty with no less honour to himself than advantage to the public, he appointed a gentleman to the office of Treasurer of the Navy at a salary of 4,000*l.* a-year, and made the appointment separate from any other substantive office. In his humble opinion, the noble Lord's father acted rightly, for it had been a source of abuse, that the public had sufficient grounds for lamenting that offices of this kind had been too often amalgamated and hidden under one another. Nobody denied the importance of the duties which the Treasurer of the Navy had to perform. It had been said, in the course of these discussions, that though the duties were important, yet they only occupied the time of Mr. Tierney for one hour a day. When that assertion was made in the presence of Mr. Tierney, Mr. Tierney had absolutely laughed at it.

Sir *J. Graham* said, that he could not agree with the Secretary of the Admiralty that Mr. Tierney had treated the assertion in question with derision. He had understood him to admit, that the service was little more than a sinecure.

Mr. *Croker* admitted that Mr. Tierney had said that this office did not take up much of his time when he held it. That was undoubtedly true; but the hon. Member for Cumberland should have read Mr. Tierney's speech onwards. "I admit," said Mr. Tierney, "that a short portion of my time every day sufficed for the duties of that office; but," he added, "since my time, other important duties have been added to the office."

Sir *J. Graham* again intimated doubts.

Mr. *Croker*.—Well, then, to convince the hon. Baronet, he would read the words attributed to Mr. Tierney—"When he held the office the business was not so great as to occupy the whole of his time, though he did attend for some time every day, but since then, the business, he understood, was considerably increased."* The right hon. Secretary then proceeded to point out the manner in which the business had been increased, and to show that the work now performed by the Treasurer of the Navy was not the work performed by that officer under the old system; but, on the contrary, combined the work of the old Treasurer and Paymaster of the Navy. In the discussions to which he had been just alluding, Lord Goderich, then Mr. Robinson, took what appeared to him to be a very fair distinction. He told the House that it had been guilty of a fault in allowing the Treasurer of the Navy to appoint a deputy; for, with a deputy, the office of Treasurer of the Navy was made a sinecure. Now, of that fault the present Administration was not guilty, for it had taken from his right hon. friend recently appointed to the office, the power of appointing a deputy. Some hon. Gentleman had asked, "Why not make the deputy a principal?" If such were the question which he had to answer, he would say at once that the real question which was put to the House by this Motion was—"Why not appoint a Treasurer of the Navy with a salary of only 1,200*l.* a-year?" [*loud cheers from the Opposition benches*]. He would give them the "why not?" immediately. Every man felt that it was necessary to have in that House a person of the rank and consideration which the Treasurer of the Navy generally enjoyed in the country, to manage those great concerns which at present devolved as matters of course upon that officer. He wished to know by which of the two principles which had been avowed in this discussion, the hon. Member for Cumberland and the noble Lord meant to stand upon this occasion? Did they mean to abolish the office of Treasurer of the Navy, and join it to that of Paymaster? or did they simply mean to retain it at a salary of 1,200*l.* a-year, because it was an ancient office of great dignity? If they meant to stand by the latter proposition, let them move it where it would be more proper, on the grant for the Treasurer of the Navy, in the Navy Estimates. The propriety of that grant was not then under consideration. If the hon. Baronet disapproved of it, let him, on the proper occasion, move that the salary of the Treasurer of the Navy is too large, and ought to be reduced. But then, if the office of Treasurer was to be abolished and joined to that of Paymaster of the Navy, let the hon. Baronet explain to the House why the deputy should be charged with greater responsibility whilst he only held the same salary which he held at present. At present the deputy incurred no responsibility. He acted by attorney under his principal, and might be turned off at his will without a moment's notice. If they placed the deputy under great responsibility, would he consent to accept that responsibility at the same rate of salary? He could not tell. He would say, however, considering the great control which the Treasurer had over large sums of public money, that it was only right that he should be a person of rank and dignity, whose station in the House and in society would be some pledge for the respectability of his conduct. He had another observation to make, which he considered to be of some importance. Every one who had looked into the affairs of the Navy with much less attention than that which it was his duty to bestow upon them, must be aware that of late years, immense improvements had been made as to the mode of paying the prize-money, the pay and the pensions of those employed in it, all of which it was only right to state had emanated from the Treasurer of the Navy. They emanated, he would not say universally, but for the most part, from such Treasurers of the Navy as had held that office undivided and undisturbed by the cares of another office. He thought that still more important than this, was another fact which he had to communicate to the House. The House had heard that great defalcations had taken place in that office; that several cashiers had lost their accounts; and that several clerks had run away much in his debt. Now it was unfortunate for the argument of hon. Members on the other side, that every defalcation in public money which had taken place since 1782, had taken place when Treasurers were holding other offices at the same time, and consequently their attention had been called away by the claims of those offices from what he would venture to call their more natural duties. He called upon the House to reflect maturely on the consequences which had arisen from two distinct offices being cloaked under one and the same name. The noble Lord said, "make the Paymaster of the Navy a substantive officer, with a salary of 1,200*l.* a-year, and consolidate his office with that of Treasurer of the Navy." Now he would take the liberty of reminding the noble Lord of the amount of salary now received by the Paymaster, and of the mode in which it had reached that sum. The Paymaster of the Navy, when exercising his proper functions of deputy to the Treasurer, had in the year 1800, a salary of 500*l.* a-year. When the plan of uniting the office of the Treasurer of the Navy with some other great office had withdrawn the Treasurer from his natural functions, a new importance was given to the office of Paymaster of the Navy. What was the consequence? In 1801, the salary of the Paymaster was increased to 800*l.* a-year. This practice went on for some years, and during all that time the Treasurer of the Navy had his 4,000*l.* a-year. In 1819, the duties of the Paymaster were found to be increasing; and instead of being shared with his principal, were thrown entirely upon his shoulders. In 1819, the salary was still 800*l.* a-year. In 1826, 200*l.* a-year was added to it; thus making it 1,000*l.* a-year. Now it was raised to 1,200*l.* a-year. So that, in twenty-five years, the salary was raised from 500*l.* to 1,200*l.* a-year, because the Paymaster was doing the duties of the Treasurer, who had another office to attend to. So much for the principle of allowing the ancient and honourable office to be held by an individual holding, at the same time, some other high official situation. In the course of the debate they had been told a great deal about the recommendations of former committees, and about the reluctance of the Government to carry their recommendations into effect. Now the Committee of Finance of 1817 was the only committee which had said any thing about the Treasurership of the Navy. What, then, was its recommendation? To reduce the salary of the Treasurer, which it considered too large, to place the office on a level, in respect of emolument, with the Paymaster of the Forces, and to fix its emoluments at 3,000*l.* a-year. That was the only recommendation of the Finance Committee, and Ministers had adhered to it most rigidly. They first reduced the salary to 3,000*l.*, and now they had reduced it to 2,000*l.* a-year, thereby creating a saving of 2,000*l.* a-year to the public. But they had been asked, why not abolish the office of Paymaster of the Navy at once? It was not right, he would answer, that the gallant officer, who had served his country as faithfully in that office as he had before done in his own distinguished profession, should be turned out of his office at a moment's notice without remuneration. He had already stated the manner in which the Government had acted with regard to the only Report which any Finance Committee had presented respecting this office: he had already shown that Government had fulfilled every syllable of the recommendation contained in that Report—ay, even to the very letter; and he would proceed to show, that Government had not only done that, but had also gone much further, it had deferred, as it always did when they were reasonable, to the suggestions of the hon. Member for Montrose—for that which the Government had recently done was exactly that which the hon. Member for Montrose had recommended it to do on a former occasion. He hoped, therefore, that he should have the happiness of the hon. Member's support that evening, because, as the Government had followed his advice implicitly, it would be very hard if he abandoned it for doing so. "Mr. Hume said"—and as it was now matter of history, and had occurred in another Parliament, he had a right to read the passage—"Mr. Hume said, he saw no reason why the Treasurer of the Navy might not perform all the duties of his office for 2,000*l.* a-year;" and he therefore moved, among other resolutions, that the salary of that officer should be so reduced. The Government had acceded to the hon. Member's resolution. But the hon. Member had prefaced it by another resolution. He had said, "that it was expedient that an inquiry should be instituted to ascertain if any, and what alteration could be made in the office and salary of the Treasurer of the Navy." *(ibid. p.* 128*).* Well, that inquiry had been made——

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* See Hansard's Parl. Deb. vol. xv. p. 113.

Mr. *Hume,* interrupting the right hon. Gentleman said, 'but not by the House.'

Mr. *Croker* replied, the inquiry had been made by Government. He did not know what inquiry the Finance Committee might have made into it, because it so happened that he was placed in rather an odd situation as to the proceedings of that Committee. The House had received from that Committee, which was appointed to inquire into, and to state its opinions on, certain matters referred to it, one Report. The world had been told, however, by an hon. Baronet (in a pamphlet) that there was, somewhere, probably in the archives of the House, a body of evidence which he might pick out, to which he might give a tongue, and which he might afterwards call the opinions of the Finance Committee. To such an opinion, however, he would distinctly and explicitly say "No." He denied the right of any hon. Member to assume any thing as the opinion of the Finance Committee but what was contained in its Report; and he would just furnish the House with a proof how necessary it was, that they should attend to the Report of the Finance Committee, and not to the gloss which the hon. Member placed on the evidence taken before it. The hon. Member had quoted the evidence of a gallant officer behind him, as having been given against the office. Now the evidence of his gallant friend was decidedly in favour of the appointment which had been recently made; and he would even go so far as to say, that it was in consequence of that evidence that the course which had been taken was originally adopted. And yet the evidence of his gallant friend had been quoted as adverse to this appointment.

Sir *J. Graham* did not say that it was the opinion of the Finance Committee, he only said that the matter came before the Finance Committee. He carefully avoided the line of argument which the right hon. Secretary attributed to him.

Mr. *Croker* said, that he was not charging this misrepresentation on the hon. Baronet, but on the hon. Member for Montrose, and his opinion as to the Paymaster of the Navy.

Sir *G. Warrender* here rose to Order. The question before the House was not a question as to the abolition of the Paymaster of the Navy—[the cries of "Order" which followed this interruption, prevented the hon. Baronet from completing his sentence, and compelled him to resume his seat.]

Mr. *Croker* said, that during the twenty years in which he had enjoyed the honour of a seat in Parliament, he had never before witnessed so admirable a specimen of a disorderly call to Order. He thought that his right hon. friend and himself had sat together in Parliament for nearly the same time; and he would appeal to his right hon. friend's calmer judgment, to say whether he deserved the interruption which he had just received. He had paid every attention to the course which this debate had taken, and he was at a loss to conceive why he was to be prevented from speaking of the office of Paymaster of the Navy, in reply to the proposition of the hon. Member for Cumberland, who wished to annex it to that of Treasurer.

[Sir G. Warrendar again said, he wished to explain, but he was not heard.]

Mr. *Croker* was now sure that his right hon. friend's feeling of the force of his argument had got the better of his personal regard, otherwise he was quite confident that his right hon. friend would not have interrupted him. To return, however, to his argument. He had shown, first of all, that it had never been recommended by any Finance Committee to abolish this office; and secondly, that if it was abolished, it would be a tedious and a difficult task to consign the duties of it to a subordinate officer, who was at present unacquainted with them. He did not, however, lay any weight upon that point, except as an answer to what had been called the breathless haste of Government in making this appointment. The absence of his right hon. friend from his place in Parliament, together with the acknowledged cause of that absence, spoke volumes as to the nature of the duties attached to this office; for he asserted, that a great portion of the afflicting illness of his right hon. friend arose out of the agitation occasioned him by this very office. He knew of his own personal knowledge, that his right hon. friend could not, during the last summer, take the relaxation which was so necessary to relieve the fatigue occasioned by long-continued official duties, in consequence of his considering his presence necessary in this office. He therefore said of his right hon. friend, "*dum tacet clamat*," considering his absence as one of the main ingredients in his argument that the office was not a sinecure, and ought not, therefore, to be abolished. To show that the measure recently adopted by Government had been a matter long under its consideration, he could state that in the year 1827 his right hon. friend, who had given as much attention to the Naval as he had to the Civil departments of his high situations, went down to Somerset-house, and there made various inquiries as to the mode in which this branch of the public service was administered. He then went to the Premier, and informed him that the duties of the office of Treasurer of the Navy had grown to a magnitude which rendered it necessary that it should be made a distinct and separate office. When, therefore, it appeared expedient to the Government to annex the office of Master of the Mint, and not that of Treasurer of the Navy, to the office of the President of the Board of Trade, it was deemed a fitting opportunity to follow the advice which the Finance Committee had given in 1817, and which the hon. Member for Montrose had called on them to adopt in one of his resolutions in the year 1819. He felt that he had trespassed already much too long upon the attention of the House; but feeling as he did upon this question, he could not reconcile it to himself to give only a silent vote against the Amendment of the hon. Baronet.

Lord *Howick* stated, in explanation, that he had never proposed to abolish the office of Treasurer of the Navy; he had only proposed to consolidate it with that of the Paymaster, and to make that saving immediately which the Government proposed prospectively to make. He would rather appoint an efficient man, with a salary of 2,000*l.* a year, than an ignorant one with 1,200*l.* a year.

Mr. *Croker* was glad to hear the noble Lord put his argument upon that footing; but he certainly had not so understood it before.

Mr. *Keith Douglas* said, that either of the plans proposed would be injudicious. The Treasurership of the Navy was such an important office, that it required the undivided attention of one person, and it had so much responsibility, that its duties could not be performed by the Paymaster. He should oppose the Motion, which could not be carried into effect without detriment to the public service.

Mr. *Huskisson* said, he felt called upon to make a few observations on this subject, the more especially as he was the only Member of the House now present, who had held, for any considerable time, the office of Treasurer of the Navy jointly with that of President of the Board of Trade. He owned that he should have been glad to have been spared this discussion, for he did not feel much taste for any question in which the discussion of a public matter was mixed up with considerations of a private nature. The present was a discussion of that mixed description; but if it had been purely a question of a personal kind, he should have been the first to do justice to the ability, zeal, and industry, of the present Treasurer of the Navy; he should have been anxious to acknowledge that that right honourable Gentleman was not only competent to perform the duties of the office, but that he was also fully competent to the performance of duties of a much higher kind. But the House could not look at this question with reference to individual claims or individual merits—it was a public question, and only as a public question should he treat it. His Majesty's Ministers had unfortunately placed the House under the necessity of deciding on it as a public question, and he regretted that it was so, considering it to be imprudent in the Government to compel the House to come to any decision on the subject. The Members of that House had no alternative. If they wished to protect themselves in public opinion—if they did not wish that the resolution they had adopted, and that Government themselves had recommended for their adoption, should be considered as nothing but a mere delusion, they had no means of protecting themselves against an imputation of having lent themselves to such a delusion, other than that of adopting the resolution now proposed. Why did he state this to be his view of the case? First, because the resolution declaratory of the necessity of retrenchment had immediately preceded the appointment to this office; secondly, because, in contradiction to what the right hon. Baronet, the Member for Edinburgh, had stated, he would say, that Parliament, in the year 1826, did recognise and lay down the principle, that this office ought to be annexed to that of the Board of Trade. The question then was, whether a substantive office should or should not be annexed to this office; and for the information of the House he would read the conclusion of the proceedings on that occasion. The House divided on the question proposed by the Chancellor of the Exchequer, whether a substantive and independent salary should go with the office of President of the Board distinct from that of Treasurer of the Navy, and on the division the ayes were 87, the noes were 76, leaving a majority of only 11. *(ibid. p.* 148*)*. Upon that majority having been announced, Mr. Canning, who was then the organ of the Government in that House, expressed himself to the following effect:—"He regretted that the smallness of the majority would prevent him from persevering in the course which, as a matter of principle, he had conscientiously supported; but which, as a matter of expediency, he now felt himself bound, under all the circumstances of the case, to abandon. The expression of opinion had, undoubtedly been very strong; and his Majesty's Government would not further press the measure. As it seemed to be the wish of the House they would consent to the union of the ancient office of Treasurer of the Navy with that of President of the Board of Trade." He was of opinion that that declaration, followed immediately on the part of the Government by a performance of the promise it contained, did announce on its part a resolution to abide by the rule which the opinion of the House had then laid down. It was not on the judgment of individuals, but on that of the House, that the union of these two offices had taken place. Since they had been administered together, no evil effects appeared to have arisen from their union; and on that point the silence of Ministers confirmed the judgment of the House. The gallant Admiral who, in 1827, was the official adviser of the Government on matters relating to the Navy, had indeed said, that the office of Treasurer of the Navy was a special and substantive office; but there had been three appointments since that time, and the gallant Admiral's opinions had not been acted on. The Government must have felt that the sense of Parliament, thus expressed, was imperative with respect to these offices; but he would go further, and assert, without the fear of contradiction, that but for that resolution, the two offices would have been continued in the same state as that in which they before existed. When he heard, for the first time, that the offices were not to be separated, he said he considered that resolution as preparatory to the suppression of the Treasurership of the Navy. But it was supposed that circumstances had arisen since 1826, which induced the Government to override the then declared judgment of Parliament, and to depart from the rule which Parliament had then laid down. He had certainly heard the statement of the hon. Baronet, the Lord of the Admiralty, that new and important duties had been annexed to the office of Treasurer of the Navy, by the act of last Session, which regulated the affairs of Greenwich Hospital. He had carefully looked through that act, and he did not find anything added to the specific duties of Treasurer of the Navy, except one;—he meant at least, that nothing had been added which could not be performed by any other Member of the Commissioners of Greenwich Hospital, except in one instance. One of the clauses of that act stated, that the payment of no sums of money, standing in the names of the said Commissioners, that had been paid, nor the receipt of any dividends or funds standing in their names, should be authorised, unless the First Commissioner of the Woods and Forests, or the Treasurer of the Navy, should be present at the signature of the order by which the said sum was paid or received. He would ask any gentleman who knew anything of business, whether, if there were five persons named as Commissioners, three of whom were specially appointed to perform certain duties, and the other two were Commissioners *ex officio*—he would ask if the particular duty he had mentioned could be considered as such an augmentation of labour as would justify the House in acceding to the proposition to separate two offices which had been united, by the resolution of Parliament, in 1826, and to give them two distinct salaries? It had been said, too, that the office was to be re-modelled, and that the Treasurer of the Navy was to perform part of the duties of the Paymaster of the Navy. He would assert, from his knowledge of the office, and he challenged any one to contradict him, that it was not possible for the Treasurer of the Navy to do the duties of Paymaster of the Navy. The latter office was one of the most laborious kind, one that required the most continued and assiduous attention to business, more so, he would say, than any office, the holder of which was intrusted with the management of a large part of the public funds. And when it was said that a Member of that House, and a man of eminence, was to conduct these duties, he would ask who in that House would take it? or, if it were taken, how any hon. Gentleman could discharge it better than a plain practical man? Was it to be expected that his right hon. friend should remain chained to the desk six hours every day, giving checks, and seeing to all the details of cashiers and accountants, paying and receiving several millions a-year, and subjected to the regulations of office and powers of acts of Parliament? He should like to ask how long the Paymaster of the Navy was able to be absent from town, as his office was of that nature that, unless the Treasurer was actually present, the Paymaster could not be absent for a moment. Bills and accounts were to be written off, and balances struck every night, and the Paymaster must be present every day—not one day in the House of Commons and the other at his office. The Paymaster of the Navy was also obliged to instruct each Treasurer of the Navy in the duties he would be called on to perform; and when the House reflected that within the last three years there had been four appointments of Treasurer of the Navy, he thought he could ask them, with confidence, whether it was not a strong case upon the question of the security of public property, that among so many and such frequently-occurring changes of the Treasurers, there should still be one efficient officer conversant with his duties, and able to instruct others in theirs, who should not be changed every six months. His right hon. friend had said that it was a remarkable fact, that during a long period the several defalcations that had taken place had all occurred when the Treasurer of the Navy had other duties to perform. If his right hon. friend had said, that all the discussions upon this subject took place at the time of the full moon, he would have spoken just as much to the purpose. If there were any merit in that argument, no doubt it could be applied with equal force to other officers of equal responsibility. Within a short time a fraud upon the Mint had been discovered; but unfortunately for his right hon. friend's argument, the office of Master of the Mint was not then united to that of the President of the Board of Trade. Yet if the argument were good for anything, it must be as good in one case as another —or at least one must be allowed as a set-off to the other. He would ask any gentleman whether, if, as a private man, he was engaged in concerns in which millions passed through his hands, he should think his business likely to be better conducted, or his concerns better attended to, if he changed his cashier every six months? They might abolish the name and designation of Paymaster of the Navy, but he would predict that the Treasurer of the Navy never would do the duty of its Paymaster. The latter was a deputy that performed those duties which the principal could never perform in person. Let them call the officer by what name they pleased, they would deceive themselves if they thought they could get rid of the office itself. In that way, at least, he was convinced they could not save 2,200*l.* a-year. They might save the 1,000*l.* a-year by the proposed reduction of the salary of the Treasurer, but not by the abolition of the office of Paymaster. He knew he might be told that the office was one which existed merely during the pleasure of the Treasurer of the Navy. It was so, but he would ask whether there would not be greater difficulties attending the frequent change of the Paymaster than of the Treasurer of the Navy, since the business was performed by the former? If they were to make a new arrangement of the offices, the Treasurer of the Navy must be as it was said the Paymaster of the Navy had been, chained to his desk, and compelled to perform all those duties which were now discharged by the Paymaster of the Navy.

His right hon. friend had adverted to the authority of Mr. Tierney, who, he stated, had said, that at one time the duties had been discharged by an attendance of one hour a day, but that they had been much increased since his time. He would read the summing-up of the speech of that right hon. Gentleman, who said that "he thought the duties of the two offices (President of the Board of Trade and Treasurer of the Navy) could be efficiently performed by the right hon. Gentleman who then held them." *(ibid. p.* 1141*)*. So that if the duties had increased, Mr. Tierney still was of opinion that a person so incompetent as he (Mr. Huskisson) was able to perform the duties of both; and so thought, and so decided, the House, and the Ministers felt themselves bound by the decision. So much for the authority of Mr. Tierney. If his own opinion was to be quoted upon the present occasion, he (Mr. Huskisson) was neither the promoter nor the suggester of the arrangement with respect to the Board of Trade—it was an arrangement that came from Gentlemen on the other side of the House—from Gentlemen who were not connected with the Government. He would, however, state that he should have been glad to be relieved from the office of Treasurer of the Navy, from his dislike to the pecuniary responsibility attached to it; but when he was in office in the Board of Trade, whatever might have been his faults, whatever the character of the measures he recommended, whether good or evil, he trusted he might claim this merit at least, that his was not a department of idleness. At the same time that he held that office, he was in the situation of one of the confidential servants of his Majesty—he was not only engaged at the office of Treasurer of the Navy, and as a member of the Board of Trade, but as President of that Board he had important duties to perform. He had to manage affairs with foreign states of a commercial kind, affecting their maritime rights, relating to the slave trade, and to the intercourse between the United States and the West-India Islands. He hoped, too, he might claim the merit of having been ready on every occasion to take his full share in the performance of those general and desultory duties which did not belong specifically to his department, but which must be performed by some Member of the Government. He might also say, without presumption, that, in the general business of that House, both as a Member of Parliament and as a member of the Government, he had always taken his share, and he had frequently been employed upon the most important committees which had sat during the thirty-one years in which he had had a seat in Parliament. He did not state these things with any vain or improper feeling; but he had once possessed the favourable opinion of that House, which he trusted he had done nothing entirely to forfeit; and he would take that opportunity of saying, that he had always deeply felt that the manner in which the discussion he had referred to had been conducted with regard to himself was one of the greatest rewards he could have had, and one of the highest gratifications he had received during the course of his whole public life. If at that time, when a proposition similar to that now submitted to the House was under discussion, the Government had found it necessary to defer to Parliament, was it not under the same necessity now? He would ask the Members of the House of Commons, whether they would not even assert their former decision, and vindicate their former judgment, and whether they would not compel the Government to carry into effect the resolution they themselves had proposed in making this office one that should be annexed to some other efficient department? It was impossible to deny that the comparatively minor duties of the Vice-president of the Board of Trade might be annexed to those of the Treasurer of the Navy. That was the whole question before the House. The office of President of that Board was now annexed to the office of Master of the Mint, and it was for the House to say, whether the same course might not be adopted with regard to the Treasurership of the Navy, and the office of Vice-president of the Board of Trade. They had been told of days in which these were substantive and distinct offices; but for the last twenty-three years (which were of more value in such a calculation than all the antecedent periods) the present appointment was the first in which the office of Treasurer of the Navy was severed from another and more efficient office. In the year 1807 Mr. Rose was appointed Treasurer of the Navy, and at the same time he held the office of President of the Board of Trade. Lord Goderich was appointed Vice-president of the Board of Trade, whilst he was a junior Lord of the Treasury. Afterwards he held the office of Vice-president conjointly with that of Paymaster of the Forces, and after that, jointly with the office of Treasurer of the Navy, and so the two offices had gone on ever since. No appointment to the latter office had taken place which was not connected with other duties. If any credit were to be given to the persons who had held this employment, he would say to every Gentleman that was to give a vote this evening, "Dismiss from your minds any apprehension that if the offices were to be filled by the same person, any detriment would accrue to the public service." Some little embarrassment might be occasioned to the head of the Government who filled up the appointments, but this would not be of a very serious nature. He would only have to choose between two persons equally efficient. Such an embarrassment would remind him of the often quoted words of an old song,

> "How happy could I be with either,
> Were t'other dear charmer away."

Such would be the substance of all the difficulties which would attend the success of the hon. Baronet's Motion this evening. He could not but express his regret and surprise, that when the ink was scarcely dry of that resolution, by which the House pledged itself to do every thing to reduce the expenditure without detriment to the public service, it did not occur to the members of the King's Government to ask themselves how they could reconcile this appointment to that resolution or the decision of Parliament in 1826. Was there no sage Nestor in the Council who could have given a hint of this matter? Could not the President of the Council have said 'Beware how you dissever these offices; for from 1807 to 1812 Lord Bathurst, being Master of the Mint, was President of the Board of Trade, and Mr. Rose, being Treasurer of the Navy, was Vice-president.' What was the period from 1807 to 1812? Was it a period of ease and peace in which the Commissioners had nothing to do but to follow their own pleasures? On the contrary, it was a period in which all the commerce of the country was under the direction of the Board of Trade, and the business was greater than at any other period. The expenditure of the Navy, instead of being five millions and a half, was nineteen millions, and the clerks were in number fourfold what they are now. There was but one more observation which he would wish to make, and with that he would not trouble the House long. He was glad of the reductions which Ministers had made in several branches of the public service, and he hoped they would continue those reductions whenever they could be undertaken without palpable injury to the public service. But when the Paymaster General of the Forces asserted that more numerous and greater reductions had been made by the Duke of Wellington than by all his predecessors, he could not hesitate to assert, that the observation had no foundation whatever in truth. The right hon. Gentleman was sufficiently versed in the history of economical reform to know, that the reforms which had been made by Mr. Pitt, that the offices he had abolished between the years 1783 and 1786, were fifty-fold what had been abolished by the Duke of Wellington. Mr. Pitt reduced offices of very great emolument, and of influence, both within and out of that House, and he had reduced them without making a merit of his exertions, or boasting of them in Parliament, because he knew that he was only fulfilling his duty. With all his desire to give credit to Ministers for a wish to be economical, he could not compare their reductions with those of Mr. Pitt. The reductions, also, which had been made in consequence of the motions of the hon. Member for Dorsetshire (Mr. Bankes) greatly exceeded in amount and importance those made by the present First Lord of the Treasury. Upon a recent occasion, hon. Members were talking of reductions in the Dead Weight; but they had now the means of saving 3,000*l.* a-year, in conformity with their own recent Resolution, as well as the Resolutions of 1826, and he must despair of any improvement if such a reasonable measure were not carried. If it were not, he would recommend Members not to propose measures of reform, which would be, it was plain, useless, but leave the country to judge of the reasons which had been assigned that night for the continuance of this office. Let the country, he said, judge between the pretences assigned for separating these offices, and the reasons upon which he thought, whether upon the score of precedent, upon the score of authority, or upon that of principle, the office ought to have been annexed to that of Vice-president of the Board of Trade. He would, however, warn the House not to expect the promised reduction of the Paymastership, for the office of Treasurer of the Navy could not be filled without a Paymaster, or some other functionary, unless the office was to be merely a ministerial one, and the individual was to be stationary in Somerset-house which would not add either to the character of the individual, or that of the ancient office of Treasurer of the Navy.

Sir *George Cockburn* said, that attaching the office of President of the Navy with that of the Board of Trade had always, in his opinion, been improper, and he was now confirmed in that opinion by all that had fallen from his right hon. friend who had just sat down. His right honourable friend's talents were universally acknowledged, and it was equally well known that he was accustomed to business; and, therefore, it might be reasonably supposed that he was likely to have looked into details, and to have made himself well acquainted with the office of which he had just been speaking; but, so far from this, the right hon. Gentleman had clearly shown that he knew nothing whatever of the subject. Hon. Members might laugh if they pleased; but he would prove that his right hon. friend was totally unacquainted with the details and the duties of the office upon which he had been making an attempt to enlighten the House. When his hon. friend said, that he was the only person then in that House who had ever filled the office of Treasurer of the Navy, the House would learn greatly to its surprise, that his right hon. friend knew nothing of the subject. First his right honourable friend had told the House, that the Paymaster of the Navy was obliged to attend constantly at his office; that he was a responsible person, and that he had the checks to sign for many millions that passed through his hands. Would the House believe it possible, that the Paymaster of the Navy never had been allowed to draw one single check? The Paymaster could not draw one single shilling out of the Bank of England in virtue of his office.

Mr. *Huskisson* here interrupted the gallant officer. He stated, that the gallant officer was either totally mistaken, or he was condescending to take advantage of a play upon a word. The duty of the Paymaster was to sign checks, which, in the language of the office, were called "Writes-off." These Writes-off were orders to transfer, out of the money standing in the Bank of England in the name of the Treasurer of the Navy, large sums to the different sub-cashiers. [*hear*]

Sir *George Cockburn.*—The Paymaster never drew a single shilling—he found no security—he was no public accountant. He had no command of the public money, except the power of making these Writes-off, to pay perhaps 20,000*l.* to this cashier, and 20,000*l.* to another. [*hear, hear*] Gentlemen might say "hear, hear!" but he would maintain that he had made a complete answer to his hon. friend. [*a groan*] Gentlemen might groan if they pleased, but it was true. The duties of the Paymaster of the Navy might be done with a very small degree of labour. He might write off in one evening the several balances, and even that duty was only a very late arrangement. He examined balances and made returns to the Navy Office; this was all that the Paymaster of the Navy did, and this was done with much ease. The present right hon. Gentleman recently appointed Treasurer of the Navy, might, without the slightest difficulty, perform this duty; but they could not turn off the gallant officer who now filled the office of Paymaster until an opportunity occurred of otherwise providing for him. The debate of 1826 had turned, not upon these points, but upon a question of economy; and he verily believed the House would have agreed to a separation of the Presidency of the Board of Trade from the Treasurership of the Navy, had the motion then under discussion been one of money. The late Greenwich Hospital bill, and the Out-pension bill, put great and important duties on the Treasurer of the Navy, and as long as the Treasurer was attached to any other office, his services never could be commanded in the Navy Office. Since the right hon. Gentleman held the office, the superintendance also of all prize concerns had been added to its labours, and the person who henceforward fills the office, will not be a useful public servant if he be not able to give his whole time and attention to its duties. On the whole, he would maintain that, by the present arrangement, a sum of 2,200*l.* would be saved to the public, whilst the country would obtain an efficient person to fill the office.

Mr. *Huskisson* hoped, that he might be allowed to offer himself in explanation to the House, after such very great ignorance had been imputed to him by the gallant officer. He might at least be allowed to show, that he really did know the ABC of the office he had filled. He had been charged with talking of checks, when, in point of fact, the Paymaster had not the power to draw checks. The balance in the Bank of England stood in the names of the Treasurer and Paymaster of the Navy. The Paymaster, under the power of attorney from the Treasurer, was authorized to draw out all that balance, and which, in fact, he did. These drafts were not in the common form of a banker's check, but they were drawn in the following words:—" From the balance standing in the name of the Treasurer of his Majesty's Navy, write off (so many thousand pounds) to the Cashier of the Allotments, to the Cashier of the Pay Branch, or to the Cashier of the Victualling Branch," and so on. This " Write-off" was as much an imperative command to pay the money as if it were a common banker's check, only he had not before made the distinction between them, because he had no wish to trouble the House with a technical explanation. But it had been said, that the Paymaster might go away from his office for a week.

Sir *George Cockburn.*—I never said any such a thing.

Mr. *Huskisson.*—Well, the gallant officer, at least, said for two or three days. Documents came every day for the Paymaster to examine and sign. To-day there might be an account of 100,000*l.* Navy Bills due, and 70,000*l.* to-morrow. Suppose the Paymaster to write-off the 170,000*l.* at once, and to go out of town. In the present course of business, and at the present value of money, these bills, or many of them, were not presented for several days; and the Paymaster ought not, therefore, to write off these large sums all at once, but to do so as the sums became due. The gallant Admiral had been pleased to admit that the Paymaster's duty compelled him to balance all the books of the different heads of service; and he would appeal to the House whether this admission did not amount to what he had stated, that the gentleman who filled the office of Treasurer of the Navy, if he also performed the duties of Paymaster, must be chained to his desk.

Mr. *Hume* said, that Gentlemen who were not present at the commencement of the debate might be led away from the right question, so much had it been departed from in the course of the discussion. Government, on the 12th of February, had voluntarily submitted to the House the following Resolution, " that it is the opinion of this House, that, in all the establishments of the country, every saving ought to be made which can be made without violation of existing engagements, or injury to the public service." Three days afterwards the present Treasurer of the Navy vacated his seat in that House, having then been appointed to that situation. The hon. Baronet had brought forward this Motion in consequence of that appointment, for it was an open violation of the resolution which the Ministers had proposed, and to which they had made the House pledge its faith to the country. Had the Finance Committee come to any resolution upon the Pay Office, it would have been impossible, from the evidence before it, that it could have done otherwise than recommend the consolidation of all the Pay Offices; to affect ignorance of what would have been the Resolution of that Committee, when the whole of the evidence was on the Table of the House, was either hypocrisy, or it was sneering at the House. The question, however, before the House was, had Ministers, in this appointment, acted with due attention to the economy which they acknowledged to be essential, and which they had pledged themselves, and made the King pledge himself, to observe? The country had now to pay a charge of 2,920*l.* to the Paymaster of Marines, 32,033*l.* for the Pay-office of the Navy; and Ministers acknowledged, that when they could get rid of or provide for the present Paymaster of the Navy, they would make the Treasurer of the Navy do the duty of his office. What was this but an admission of a violation of their pledges of economy? In his opinion, it was the office of Treasurer that was unnecessary, and he hoped the House would be of the same opinion by supporting his hon. friend's Motion. The Secretary of the Admiralty had shown, that in 1800 the salary of the Paymaster of the Navy was only 500*l.* per annum.—200*l.* more were soon added, and then 200*l.* more, until at last the salary was made to amount to 1,200*l.* per annum. These additions were made, he said, because the Paymaster did the whole duties of the Treasurer, who had always other duties to perform. This was an additional fact, that the office of Treasurer was unnecessary. It was said, too, that he had some of the floating duties of the Government to perform; but if he executed all the duties now conjured up for his office, they were totally incompatible with his services as a Member of Parliament. The Treasurer, for instance, might be chosen a member of the Wexford Committee, which might sit for two months, and then what became of the duties of the Treasurer? [From the Treasury Bench: "He may swear off."] Mr. Hume continued: This would be improper—a neglect of duty; and it only proved what he had stated, that the duties were so incompatible, that when they clashed the Member was obliged to swear off from one of them. The only way was, to send the Treasurer out of Parliament, and he should be happy, and very happy, to remove from Parliament that solid band of placemen and pensioners out of which the majorities voting away the public money, and voting it into their own pockets, had that session chiefly been formed. The House had had examples of such removals; and every man knew that the Duke of Wellington was of so decided a temper, that he always got rid of those who, in that House, disputed any of his measures. The Paymaster of the Forces had spoken of his conscientious and independent votes; but if his votes out of office had not been the reverse of his votes in office, he could not say much for them. The Secretary of the Admiralty had totally misquoted and misapplied what he had said upon the Navy Department in 1822. The right hon. Gentleman had said, and he was astonished to hear it, that the salary of 1,200*l.* to the Paymaster was given according to the advice of Mr. Hume. But he had, in 1822, as he perfectly well recollected, recommended the consolidation of all the Paymasterships; and he contended then, that a single individual was capable of doing all the Paymasters' duties, with a salary of 1,200*l.* And he asserted that all the duties of the Navy-pay department might be performed at an expense of 7,000*l.* or 8,000*l.*, if the business was properly arranged. It was true that the Paymaster of the Navy had not a shilling in his hands, and could not dispose of a single shilling, but every department of the State was overloaded with double and treble checks, as if a gentleman giving an order upon his banker found it necessary to pass it also through the hands of two or three clerks. The Government, which professed to reduce and economise, had strangled the Finance Committee in its progress; and taking the merit of abolishing a few miserable commissionerships, and dismissing some paltry clerks, kept up this great appointment in the face of the Resolution of the House. The hon. Baronet had brought the case forward as a matter of principle; for if this expense were allowed, there was no degree of extravagance to which Ministers would not be ready to go. He hoped that hon. Members would, by their votes this night, support the consistency of the House, and show their sense of the manner in which the present Government had violated its pledge of economy, and had shown an utter disregard of the expenditure of the public money.

Mr. *Peel* said, before the House disposed of the proposition now submitted to its consideration, it would not be immaterial distinctly to recall to its recollection the character and principle of that proposition. It was not a Motion to reduce an excessive estimate, nor to diminish an extravagant vote, but to visit those who had made this appointment with condemnation and censure. Thus a question of justice was inseparably interwoven with a matter of policy. The House was called upon to pronounce a verdict; it was sitting, not merely in its political, but in its judicial character; and, however highly excited party feelings might be, he was certain there were few Members who would consent to pronounce that verdict without listening to the evidence, and paying due regard to the intentions of the accused. The *animus* was always a very main ingredient in the estimate of criminality. Never had he been more satisfied of anything in his life, than that if the House adopted the proposition of the hon. Baronet, it would be doing an act of the most flagrant injustice. Standing in the situation he (Mr. Peel) occupied, appearing as the advocate of the accused, and addressing the House as the Judges to decide the question of guilt or innocence, he felt that it would be an insult to require its forbearance and indulgence. In the year 1828, when a schism, to the circumstances of which he could never refer without regret, occurred between the members of the Government, his right hon. friend Mr. Vesey Fitzgerald had been appointed President of the Board of Trade and Treasurer of the Navy. Lord Melville and his hon. friend behind him (Sir G. Cockburn) protested against that joint nomination, and they had nothing in view but the efficiency of the service, which they apprehended would then be injured: they contended that the two places should not be united in the same person; and the question was considered at the time with reference to what had passed in the year 1826, when the House had overruled the proposal of Government that these offices should be disunited. Ministers, in 1828, thought it right to defer to the sense of Parliament, and Mr. Vesey Fitzgerald was therefore called upon to discharge the duties of both situations. So matters continued, until the health of Mr. Fitzgerald broke down under the weight of his united duties and anxieties, and it then was required of Ministers to consider what arrangements could be made to provide a substitute. To the abilities and aptitude for business of Mr. Fitzgerald he had borne testimony on a former occasion, and it was not necessary to repeat it now; but during the whole summer his health had suffered from his laborious attendance on Parliament, and on the duties of his office, till at length it entirely failed, and when he retired Ministers did certainly think that the time had arrived when they might safely depart from what appeared to have been the intention of the House—provided, at the same time, a saving of the public money could be effected. If they had wished to make out a specious case, and not to trust to the good sense and feeling of Parliament in judging of their intentions, they might have filled up the office of Master of the Mint, with a salary of 3,000*l.* a year — have appointed a Treasurer of the Navy, as the office still existed, and have united the situations of President of the Board of Trade and Treasurer of the Navy, with the emoluments which previously belonged to those united offices. Had that course been pursued, not a word of objection would have been uttered; and were not Ministers at liberty to save the public 2,200*l.* a-year if they could, although they did not, in other respects, adhere closely to the wishes of Parliament? The argument of his right hon. friend (Mr. Huskisson) had been, that the wishes of Parliament had been expressed, in 1826, contrary to the views of Government, and that Ministers, on the recent occasion, ought to have deferred to the Resolution of the House. No doubt, in a matter of indifference, such should have been the course; but if it were found that the health of a valuable and able public servant had yielded to the pressure of the duties of both offices, and if, by departing from that course, 1,000*l.* a-year in the first instance, and ultimately, 2,200*l.* a-year could be saved to the public, with a relinquishment, besides, of patronage, was it consistent with the principles of common justice to visit Government with a vote of censure and condemnation? Ministers had thought that they might review the circumstances of the appointment, and they had decided that the best arrangement was not to make the deputy principal, but to secure to a great national establishment the services of a public man of ability, while, at the same time, his salary was reduced. The hon. Member for Montrose had asked how the Treasurer of the Navy could discharge his official duties, be present in his place in Parliament, and attend also as a Member of the Wexford Committee? He (Mr. Peel) wished to know how the same man could be Treasurer of the Navy, President of the Board of Trade, be present in his place in Parliament, and attend also on the Wexford Committee? Surely, if three were incompatible, *à fortiori*, four must be incompatible also, according to the very shewing of the hon. Gentleman. But before the House became parties to this vote of condemnation, he implored it to attend to the opinion it had expressed by its Committee. From the year 1788 to the present time, various inquiries had been instituted into the office of Treasurer of the Navy, and no Committee had yet ever suggested the fitness of abolishing the office. Several had complained that the duties were performed by deputy; and hence, an opinion was implied that, for the sake of the public service, it ought to be made a substantive and efficient appointment. Upon this point, he would not go farther back than the Finance Committee of 1817, of which the President of the Royal Society (Mr. D. Gilbert) had consented to act as Chairman. What was the Report of that Committee? Before Ministers filled up the post, they had referred to all the Reports; and if they had erred, they had erred with authorities in their favour, which, in mere justice, would prevent Parliament from joining in a vote of censure and condemnation. The Report of the Finance Committee of 1817 was, that the salary of the Treasurer of the Navy was much too large. A reduction was therefore recommended, and it was proposed that the office and its salary should be placed upon the same footing as that of the Paymaster of the Forces. At that date, the salary was 4,000*l.* a-year; and the Committee added, that it was not for them to determine whether it should be lowered to 3,000*l.* a-year, or to any other sum. Thus it was evident, that Ministers had not acted in precise concurrence with the suggestion of the Committee, because they had gone beyond it, and had lowered the emolument of the office of Treasurer of the Navy below 3,000*l.* a-year. They had reduced it to 2,000*l.* a-year, and had put it precisely on the footing of the Paymaster of the Forces. If, after this recommendation, and this conduct founded upon it, Parliament were to turn round at once, and pass a vote of censure upon Ministers, he must say, that reports of Committees, instead of being beacons to guide, would be converted into false lights to delude. The value of Reports would be at an end—"Bring me no more Reports—let them fly all"—since it would be far safer for Ministers to act on their own responsibility and discretion than on the recommendations of committees. In filling up the recent vacancy they had adopted the very advice of their political opponents, and they felt satisfied that it was utterly impossible for men on any side of the House to object to the arrangement. And here, he must say, although he had had some reason to be prepared for opposition from his right hon. friend (Mr. Huskisson), he was, nevertheless, utterly astonished by his speech. He had referred to the Nestor of the Cabinet (Lord Bathurst), and to the example of Mr. Rose in 1807, observing, that he himself was the only man in the House who had held the united offices of President of the Board of Trade and Treasurer of the Navy: he therefore hoped that the House would confide in his authority. At present, his right hon. friend held neither office, and he might say with Macheath—

"How happy could I be with either—"

But in 1826, when doubly burthened, he added, like the same gallant captain, another line to his song—

"Were t'other dear charmer away;"

for, although he now argued that another appointment ought to be added to that of Treasurer of the Navy, in his speech on the 7th April 1826 he contended that the duties were more important than they were generally supposed, and that they could not be properly executed by an individual who was also President of the Board of Trade. Mr. Huskisson then said,*

"He also was relieved from the necessity of saying any thing relative to what some Gentlemen called an useless office,—the Treasurership of the Navy. After what had been stated by his right hon. friend near him, and by the right hon. Gentleman opposite, it was scarcely necessary to add, that the business of that department had very considerably increased, as well as the importance of the duties connected with it, since the transfer to it of the management of seamen's wills. It was quite erroneous to suppose that the business of that office was a mere matter of paying money. So far from that, the Treasurer of the Navy was called on to to exercise his discretion in the instance of every demand made on him for money. He was obliged to sift the grounds of each claim, and to decide on the merits of the applicant. With so many branches of public duty to be performed, the Bank could not be expected to execute them, or to exercise any discretion on the different cases submitted to the consideration of whoever might be placed in the superintendence of that department. Whether from his not having that capacity of mind which the discharge of such duties undoubtedly required, or from whatever other cause, he confessed he did feel considerable hardship arising out of the union of the two offices of President of the Board of Trade and Treasurer of the Navy. He felt not only the difficulty attendant upon a due discharge of the duties of both, but the anxiety which proceeded from the great pecuniary responsibility which attached to one of those offices; the weight of which was, in no inconsiderable degree, augmented by the duties arising from the frequent complaints from the Navy-office, the Victualling-office, and other departments of the public service connected with it. He declared that, united as those offices were in him, he could not satisfy his mind that the duties of the Treasurership of the Navy were, so far as he was concerned, duly and adequately performed." * * * * "In answer to what had fallen from the right hon. Gentleman, with reference to whether or not he had time enough to discharge the duties of both employments, he certainly could not reply that he had not time enough; but he could most truly declare, that to whatever cause it might be owing, he was not able to do the duties of both offices with that satisfaction to his own feelings with which he thought every public duty ought to be performed. Beyond question, the country was fully entitled to his best services, and to all his services; but so long as he remained unable to divest himself of the feelings to which he had adverted, he was convinced that it was any thing rather than a public service to continue in possession of both offices without being able adequately to discharge the duties attached to them." * * * "The right hon. Gentleman opposite had told the Committee, that when he held that office he contrived to do other duties of a public nature. Doubtless, a man of his powers and diligence was capable of holding such an employment with advantage to the public, and also to discharge other duties of importance; but this could not be accepted as a proof that the burthensome duties at the Board of Trade were compatible with those at the Navy-office. The further consideration of this question he would now leave in the hands of the House, so far as he was personally concerned." This opinion, which his right hon. friend then gave, of the duties of the two offices, was, in his view of the matter, a correct one, and it had been confirmed by the failure of the health of Mr. Fitzgerald; and Ministers were, therefore, led to believe that the plan they had recently adopted was advisable, not only on the score of public economy, but because the duties of the office could not otherwise be efficiently discharged. The Presidency of the Board of Trade had been united with the Mastership of the Mint, because the right hon. Gentleman who occupied those two places was, at least, not new to either of them. It ought not to be forgotten that the proposal of 1826 was to add 2,000*l*. a-year to the public burthens, while the plan Ministers had pursued saved more than that sum to the public. He did not know that he could say more on this subject, for he would not enter into the details, resting confidently upon the justice and equity of the case to produce their due impression upon the House, without any bias from party feelings or personal resentments. He would put it to all who heard him, whether the general conduct of the present Government—that of the Duke of Wellington—was such as to justify a vote of censure. He was sure that the House, sitting as judges, would not only consider the wishes of the hon. mover, but the intentions and the acts of the Government. The great advocate for economy (the hon. Member for Montrose), to whose motives posterity would do justice, however annoying and persevering his opposition, had repeatedly acknowledged, that, comparing the present Cabinet with any that had preceded it, he thought that it had evinced a more sincere desire than any other to spare the public purse. It did not, indeed, go as far as the hon. Member wished; but still he had felt bound, in justice, to admit, that it had gone a great way. The hon. Baronet (Sir J. Graham) had urged that it was necessary to reduce this office, in order to lessen the number of that band of pensioners who were called upon, on every occasion, to overwhelm the sense of the independent portion of the House. The hon. Baronet and the hon. Member for Westminster (Mr. Hobhouse) were at issue, in some sort, upon this point, as the latter had said, in a recent debate, that he preferred a bad strong Government to a good weak one. It became important, therefore, to consider the present amount of Government influence, compared with the better periods of our history, to which the hon. Baronet had referred with such apparent satisfaction. Some time since returns were called for and laid on the Table showing the number of Members of Parliament who held office, place, or pension in the first Parliament of George 1st; a similar return was made for the first Parliament of George 2nd; and a third return of the Members of Parliament who held offices at the pleasure of the Crown, or other places, in the first Parliament of George 4th. In the first Parliament of George 1st, instead of the fifty or sixty placemen now in the House, they had 271 Members of Parliament holding situations at the pleasure of the Crown. In the first Parliament of George 2nd, there were 257 Members also holding offices at the pleasure of the Crown. This was a much greater number than at present. Perhaps it would be said that those offices were so skilfully divided, that a few situations were spread over a numerous body of placemen. What, however, was the fact? So far from a few offices being made to serve a great number of holders, the skill was exercised in accumulating upon the heads of individuals a number of offices, which, by persons less adroit and able than were the dispensers of Crown patronage in those days, would have been considered utterly incompatible. At the time that there were 271 servants of the Crown, holding their situations during pleasure, sitting in that House, Mr. Craggs was, by the singular dexterity of that period, enabled to hold the offices of Vice-Treasurer of Ireland, Lord Warden of the Stannaries, Comptroller of the Household and Governor of St. Paul's. Another Member of the Parliament was Secretary of State, Secretary at War, Clerk of Deliveries to the Ordnance, and a Lord of Trade. A third Member was a Secretary of State, Comptroller of the Household, a Lord of the Treasury, and Ambassador to Spain. The present number of Members in that House was 658; the number at the time of which he was speaking, was 558—there then existed an Irish Parliament— and it was pretty generally acknowledged that that body possessed an adequate supply of parliamentary offices. It was quite clear, therefore, in comparing the influence of the Crown at present with those days of whig constitutional purity, that the balance was greatly in favour of the present time. The hon. Baronet by whom the Motion was made contended for the reduction of the influence of the Crown by the reduction of the office against which his speech was directed; but he thought it had been made pretty well manifest that the influence of the Crown was undergoing a most rapid reduction. Without dwelling further upon those topics, he should call upon the House to review the general conduct of the Duke of Wellington's Government. His hon. friend near him, the Secretary to the Treasury, stated not long since, that during the summer the noble Duke at the head of his Majesty's Government had been occupied in effecting every possible reduction consistent with the interests of the public service; and the effect of his having so long and so assiduously directed his attention to that subject was, that from that time to the present it had not been in his power to bestow any office of sufficient value to be worth the acceptance of any person holding the rank of a gentleman. The fact was, that so limited was the number of offices now in the gift of Government, that the patronage of the Crown might be considered as mortgaged for several years to come. He would ask, had the Duke of Wellington supported his government by a prostituted or lavish expenditure? On the contrary, it might, with perfect truth, be said, that, with very few exceptions indeed, he had not conferred any civil distinction since he came into office. Other Governments preceding his, might have found it necessary to avail themselves of the prerogative of the Crown, even to an extent that might have been called a lavish expenditure of public honours. The Duke of Wellington had in no instance availed himself of that branch of the royal prerogative, of the exercise of which former Administrations had been so lavish. Upon inquiry it would be found, that in no one case had he conferred any civil honours since his accession to office. In the days of Mr. Pitt, perhaps, a different course might have been found necessary. But he was mistaken in saying "in no one instance;" there were some few exceptions—one or two perhaps—but they were not cases in which any influence could be exercised over that House. His noble friend had, with these exceptions, never felt it necessary to recommend the exercise of the prerogative of the Crown in that respect; not that he undervalued that patronage, but that he had not found it necessary for the purposes of Government as it was in former Administrations. The present Administration looked for support to public opinion, and they felt that, relying upon that, and steadily pursuing that course which they considered most likely to deserve it, the influence of such patronage might be dispensed with. Greatly indeed should he be disappointed if the vote of that evening should convince him that they were mistaken in such reliance, and that they required such influence. The House would no doubt exercise its own discretion as to the Motion before it, and if, after what the Ministers had already done, it should think proper to adopt the proposition of the hon. Baronet, they would bow with submission, but they would still have the satisfaction of thinking that they had not deserved the censure. He must observe, however, that if the House passed a censure on the Ministers who had done most in the way of economy and retrenchment, it would hold out to their successors the folly of relying on public opinion, in lieu of that patronage which other administrations had so profusely exercised.

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* See Hansard's Parl. Debates, vol. xv. p. 115, &c.

Sir *George Warrender* said, that he would support the Motion, because he considered it acting up to the resolution lately adopted by the House.

Mr. *Labouchere* said, that after having heard the whole case, he could not support a motion which implied a censure upon Ministers who, he admitted, had done much in the way of reduction; at the same time he admitted that a more economical course might be adopted. They were going on in extravagance which ought to be checked, and he would state his opinions on the subject when they came to discuss the Navy Estimates.

The House then divided, when there appeared; — For the Resolution 90; against it 188.—Majority 98.

List of the Minority.

Astley, Sir J.
Baring, Sir T.
Bernal, R.
Bentinck, Lord G.
Birch, J.
Brownlow, C.
Burdett, Sir F.
Bright, H.
Buxton, J. J.
Burrell, Sir C.
Buck, L. W.
Cave, R. O.
Cavendish, W.
Colborne, R.
Clifton, Lord
Carew, R.
Carter, J.
Calvert, C.
Cavendish, H.
Davenport, E. D.
Dawson, A.
Dawson, E. J.
Dundas, hon. T.
Dundas, hon. G.
Dundas, Sir R. A.
Duncombe, hon. W.
Dick, H.
Euston, Lord
Encombe, Lord
Ebrington, Lord
Fazakerley, J. N.
Fane, J.
Fyler, T. B.
Gordon, R.
Grant, R.
Harvey, D. W.
Heron, Sir R.
Heneage, G. F.
Hobhouse, J. C.
Hume, J.
Huskisson, rt. hon. W.
Jephson, C. D. O.
Keck, G.
Kemp, T. R.
King, hon. General
Lamb, hon. G.
Lennard, T. B.
Lester, B.
Littleton, E.
Lygon, hon. Colonel
Maberly, J.
Martin, J.
Marshall, W.
Morpeth, Lord
M'Donald, Sir J. Bart.
Marryat, J.
Malcolm, N.
Macqueen, T.
O'Connell, D.
Ord, W.
Palmerston, Lord
Parnell, Sir H.
Phillips, G. R.
Phillips, Sir G.
Power, R.
Rice, T. S.
Robarts, A. W.
Robinson, Sir G.
Rumbold, C. E.
Russell, Lord J.
Rowley, Sir W. Bart.
Rickford, W.
Sefton, Lord
Stanley, E. G.
Scott, hon. W. H.
Thomson, C, P.
Townshend, Lord C.
Trant, W. H.
Uxbridge, Lord
Vyvyan, Sir R.
Wall, C. B.
Warburton, H.
Warrender, Sir G.
Webb, Colonel E.
Wilson, Sir R.
Wilbraham, G.
Westenra, hon. H.
Wood, Ald.
Wood, C.
Wrottesley, Sir J.
Whitbread, W.

TELLERS.

Graham, Sir J.
Howick, Lord

PAIRED OFF.

Sykes, D.
Denison, W. J.
Slaney, R.
Liddell, hon. H.
Du Cane, P.
Winnington, Sir T.
Lambert, Colonel

LONDON AND EDINBURGH ROADS.] On the Motion of Lord Viscount Morpeth, a Select Committee was appointed to inquire into the state of the Roads between London and Edinburgh, and London and Portpatrick.

HOUSE OF LORDS.

Monday, March 15.

MINUTES.] Petitions praying that the Trade with India might be opened were presented—by Lord KINNOUL, from the Corporation of Perth:—By the Earl of ROSSLYN, from the Chamber of Commerce of Kirkaldy, and from the Town and Council of Kirkaldy:—By Earl STANHOPE, from the Trinity-House of Kingston-upon-Hull:—By the Marquis of BUTE, from the Corporation of Greenock:—By the Marquis of LANSDOWN, from the Chamber of Commerce of Bristol:—And by the Earl of DUDLEY, from certain persons in Staffordshire and Worcestershire. Complaining of the Distress of the Country, and praying for Reduction of Taxation, were presented—by the Earl of HARDWICKE, from the occupiers and owners of land in the county of Cambridge, and from the hundred of Ely:—By Lord KING, from a parish in Gloucestershire:—By Earl STANHOPE, from the Clergymen, Freeholders, and Inhabitants of Kingston-upon-Hull:—By Earl BEAUCHAMP, from the Grand Jury of Worcester:—And by the Marquis of LANSDOWN, from the Inhabitants of the county of Ross. Against the Payment of wages in Goods were presented—by the Duke of WELLINGTON, from a place in Gloucestershire:—And by the Earl of DUDLEY, from Wolverhampton, from Dudley, and from the neighbourhood of the same place:—Against the Punishment of Death in certain cases, by Lord DE DUNSTANVILLE, from a place in Cornwall:—By the Duke of WELLINGTON, from the town and neighbourhood of Southampton:—And by the Marquis of LANSDOWN from the Quakers of Ireland. Praying for an alteration of the Corn Laws:-By Lord KING, from the inhabitants of Uley:—Against the Truck System by the Duke of WELLINGTON, from the inhabitants of Stroud. Praying for the removal of the Duty on Coals, by the Marquis of CLANRICARDE, from Galway:—And praying for the repeal of the Subletting Act, by the Marquis of LONDONDERRY, from the inhabitants of Belfast.

The Transfer of Aids Bill, the Exchequer-Bills (12,000,000*l.*) Bill, and the Jersey and Guernsey Poor Bill, went through Committees, and were Reported.

COAL TRADE.] The Marquis of *Lon-*

donderry, in presenting a Petition from the Coal-whippers of London, praying their Lordships to remedy certain abuses in the Coal-trade, observed, that the Committee sitting up-stairs was likely to throw much light on the monstrous frauds committed in the port of London with respect to the article of Coals. He was happy also to say, that he believed the Corporation of the City of London would come forward and remedy these evils. He had observed, indeed, that a measure was in progress in another place, to substitute the practice of selling coals by weight, for selling them by measure, which would tend greatly to remove the abuses.

SHIPPING INTEREST.] Earl *Stanhope*, in presenting a Petition from the Ship-owners of Kingston-upon-Hull, praying that a reduction of the expenses in every department of the Government might be effected, and that means might be taken to produce a more equal distribution of the burthens of the people, observed, that it was no answer to the complaints of the Ship-owners, to show that a large amount of tonnage was employed, for he could prove, that in that respect, the greatest possible fallacies existed; for though the amount of tonnage was considerable, the freights were very low. He wished to ask the noble Duke at the head of the Government, whether he had any objection to the appointment of a Select Committee to consider the state of the Shipping Interest?

The Duke of *Wellington* replied, that he did not understand the noble Earl to have shewn any ground for appointing such a Committee. If the noble Earl made a motion upon the subject, he should be better able to give it a direct answer.

Earl *Stanhope* said, he was quite ready to make such a motion; but he begged to remind the noble Duke, that this was by no means the first petition which had been presented on the subject, so that it could hardly be new to the Government. The noble Duke called himself (as no doubt he was) a friend to the Shipping Interests; but he declined to take any means for increasing the freights of the Ship-owners. He would give notice of his motion on a future day.

The Duke of *Wellington* said, he had not declined to do any thing that would assist the Shipping Interest. All he had said was, that he could not adopt means to benefit them, by raising their freights, without making some other class suffer from the advantage conferred on them.

SPEAKERS OF THE HOUSE OF LORDS.] The *Lord Chancellor*, in giving notice, that he would, on Friday next, move the second reading of two Bills, one relating to the Property of Lunatics, and the other to Contempt of the Court of Chancery, informed their Lordships, that his Majesty had been graciously pleased to issue two commissions; one authorising Lord Tenterden to act as Speaker to their Lordships' House in the absence of the Lord Chancellor; and the other authorising Lord Wynford to act as Speaker in the absence of Lord Tenterden and the Lord Chancellor. The two Commissions were, on the Motion of the Lord Chancellor, read by the clerk.

HOUSE OF COMMONS.

Monday, March 15.

MINUTES.] THOMAS GARDINER BRAMSTON, Esq. took the Oaths and his Seat as Member for the County of Essex. A Report of the Committee on the Wexford Election was submitted to the House to the following effect:

"That the right of election for the Borough of Wexford, was not in the description of persons that was set forth in the Petition, but that it consisted in such persons as had served an apprenticeship of seven years to freemen, or had resided in the Borough of Wexford at the period of their admission to the freedom, or had carried on business for six years in Wexford, pursuant to statute 14 and 15 Charles 2nd, and the new rules for the better encouragement of Protestants to take up their residence in different towns in Ireland:

"That Sir ROBERT WIGRAM, Knt., was not duly elected at the last election; but that Sir EDWARD CHOLMELEY DERING, Bart., was duly elected, and ought to have been returned:

"That neither the Petition against the return, nor the opposition to it, was frivolous or vexatious:

"That from certain facts which had been disclosed in the proceedings before the Committee, they deemed it expedient that the Evidence should be printed and laid before the House."—Ordered.

The Galway Franchise Bill was brought in and read a first time; and the Pensions and Duties Bill was read a third time and passed.

Petition from the Tradesmen of Merthyr Tidvill, against any alteration in the laws relative to the Payment of Wages; presented by Sir CHARLES MORGAN.—From the Iron-Masters of Merthyr Tidvill, and from the Tradesmen of Bedwelty; by Sir CHRISTOPHER COLE.—From the Tradesmen in Dudley; by Sir THOMAS WINNINGTON; all complaining of great Distress.

Petitions against the renewal of the East India Company's Charter, from the inhabitants of Pontefract; by Mr. HOULDSWORTH:—from Darlington, and Stockton-upon-Tees; by Lord WILLIAM POWLETT:—from Bury; by Lord STANLEY:—from the Corporations of Perth and Dumbarton; by Mr. A. CAMPBELL. Petition, praying for the repeal of the Duty on Hops, from Ewhurst, Burwash, and Etchingham; by Mr. BERNAL. Petition, praying for the repeal of the Malt Duty, from the Hundred of Taverham (Norfolk); by Mr. WODEHOUSE. Petitions, complaining of Distress from the inhabitants of the Hundred of Hoxne; by Sir EDWARD KERRISON. From the Ship-owners of Scarborough; by Mr. WILLIAM DUNCOMBE. From the inhabitants of Cripplegate Without; by Mr. ALDERMAN WOOD. From the inhabitants of the county of Flint and Holywell; by Sir EDWARD LORD, Returns were presented of the number of Inquests held by Commissioners of Wide Streets in Dublin, and the sums paid to the Jurors:—Of the amount of First Fruits received during the last ten years:—Of the memorial of Francis M'Bryan and others to the Lord Lieutenant of Ireland, relative to the Sub-Sheriff of Fermanagh:—Of the number of causes set down in the Court of Session of Scotland, for the first time, in each year since 1811, and of other matters relating to this Court.

Returns were ordered, on the Motion of Mr. Bernal, of all Sums of Money voted by the House of Assembly in the island of Jamaica, in 1825, 1826, and 1827, describing in what manner it was appropriated:—Of the number of the King's troops in that island in those years:—On the Motion of Mr. Warburton, of the number of the Commissioners of Bankrupts in London, distinguishing whether they are Barristers or not, and whether they hold any office.

Tanjore and Carnatic Commissions.] A Bill to continue the Tanjore Commission for a limited time having been read a second time, and a Motion made to commit it,

Mr. *Hume* inquired whether the Bill would cost the country any additional expense, and whether it was to be expected that the affairs into which these Commissions were instituted to inquire, would ever be arranged. In particular he wished to observe, that the Carnatic Commissioners had sat during two or three generations, and it was high time that their inquiries, unless the Commission were to be eternal, should be brought to a close.

Mr. *Astell*, in reply, stated, the Bill would cause no additional expense. It was only to enable the Tanjore Commissioners to examine witnesses on oath, and continue that Commission for a further period. He could inform the hon. Member, that the Carnatic Commissioners had presented their last report, and that the whole business of that Commission was about to be brought to a close.

Smuggling Tobacco.] Mr. *H. Davis*, in presenting a Petition from persons dealing in Tobacco in Bristol, praying for the reduction of the duties on Tobacco, observed that he could not avoid expressing his surprise, that these duties should have been suffered to continue so long. The evils they inflicted on the community were of great magnitude, for which the revenue derived from them was no compensation. The illicit trade carried on in Tobacco was enormous. No vigilance could guard against the temptation afforded by a duty that in amount was nine times the value of the article. Tobacco formed the bulk of every illicit cargo. Smuggling was almost as bad as stealing, to which it frequently led, and therefore, if it were only on the score of morality, the duties on Tobacco ought to be lowered; nor did he think that the interests of the State would suffer by such a measure. If the duty which was 3*s.* per pound were reduced to 1*s.* 6*d.* he was persuaded that the consumption of Tobacco would increase in proportion, and the revenue receive no injury. As the right hon. Gentleman, the Chancellor of the Exchequer, was to bring forward his financial plan for the year that night, he hoped that a large reduction of the duties on Tobacco would be included in that plan.

Distress in Scotland—Taxation.] Mr. *John Campbell* presented a Petition from the noblemen, freeholders, &c. of Dumbartonshire, complaining of Distress, and praying for Relief by reduction of Taxation. The hon. Member said, that though he did not admit the country to be in that state of distress which some hon. Members thought, and in this he agreed with the petitioners, yet it undoubtedly was suffering to a considerable extent. He would not inquire into the causes of that distress, but much of it he thought was to be attributed to the alteration in the currency. He did not wish to have another alteration, but if Parliament were to institute an inquiry, it would at least learn to what extent its own measures had caused the evils, and it might find some means of alleviating them. This was the view of the petitioners, who also expressed their confidence in the Government. Ministers had already evinced a disposition to afford relief: and he had every hope that the statement which they were about to hear from the right hon. Gentleman (the Chancellor of the Exchequer) would prove that still more effectual measures of relief were in contemplation.

Mr. *Cutlar Fergusson* said, that though the distress in Scotland was not as great as that in England, yet there was great suffering amongst the agricultural classes there. The price of cattle was so low,—he spoke chiefly of the county of Kircudbright,—that people could not get the price for them which they themselves gave last year, and he believed the same might be said of other counties. The result was, that the farmers could not pay their rents except out of their capital, and the distress of the lower classes, though they had hitherto done pretty well, were now suffering extremely. The only remedy to which the people now looked was a reduction of taxation, and he hoped it would be largely administered that evening.

Sir *G. Murray* was surprised and sorry to hear such a statement as that of the hon. Gentleman. He could state, however, that in other counties a different state of things existed, and that in the county which he had the honour to represent (Perthshire) no such distress was known. He had received an account that day from one of the greatest landed proprietors in that county, who stated that his rents were never more regularly paid than at present. From what he had heard, he should be disposed to form a different opinion from that just expressed by the hon. Member for Kircudbright.

Sir *G. Warrender* said, that he could state as a landed proprietor of that county to which the gallant officer had alluded, that he could not get a farthing of rent, and he believed other counties in Scotland were in no better situation, though the rents had been reduced forty per cent since 1814.

Mr. *W. Dundas* denied altogether that Scotland was in the distress which the hon. Member described. If wages had fallen, so had the price of the necessaries of life—if the prices of cattle had fallen, it was a relief to the farmer that wages had fallen also, and that rents had been lowered. From what he knew of Scotland he could not concur in the opinion that the agriculturists and the labourers were suffering in any extreme degree.

Mr. *E. Davenport* said, it was a proof of the distress of the country when a Minister of the Crown made a boast of one landholder in Perth receiving his rents.

The Petition to lie on the Table.

FINANCES OF THE COUNTRY.] The *Chancellor of the Exchequer* having moved that the House resolve itself into a Committee to consider the several Acts relating to the Excise, and the Speaker having accordingly left the Chair, the right hon. Gentleman proceeded to address the Committee as follows:—I avail myself of the opportunity afforded on the present occasion, of bringing thus early before the House the views of his Majesty's Government respecting the financial concerns of the country, and I do so, not more in deference to the wishes expressed by this House, than in compliance with my own sense of what is due in justice and in propriety to the reasonable expectations of the people at large, holding us bound, as they do, to lay before Parliament as soon and as distinctly as possible, the course which we deem it right and expedient to pursue. In the present depressed state of the country, and when great anxiety is manifested by all classes respecting the measures which his Majesty's Government intend to propose to Parliament, it is right that the House of Commons should, as early as possible, be made acquainted with the views and intentions of the responsible advisers of the Crown. This, I say, becomes doubly necessary at a time of such general anxiety, which, on the one hand, fills people with exaggerated expectations of the measures which Parliament is likely to adopt, and of the means of relief which it is capable of affording; and on the other, calls forth so much unwillingness to give credit to the Government for feeling that sympathy which it ought and does feel towards the suffering portion of society. It therefore becomes highly desirable that the measures to be submitted to Parliament should be known immediately, in order to prove, if possible, how little ground there is, in justice and in truth, either for those exaggerated expectations on the one hand, or that unreasonable distrust which is to be found on the other. When last I had the honour of making a similar statement to the House to that I am now about to lay before it, I adverted to what was then said on the subject of depression, and I ventured to express a hope that the embarrassment of that period would not prove of long continuance. It is perfectly true, Sir, that my expectations on that point have not been realised. Different circumstances have occurred during the past year to protract the duration of those difficulties, and to increase the pressure upon the people somewhat beyond that which I had anticipated. In thus merely touching, as I do, upon this topic, I have no intention of entering into a discussion of the circumstances which have aggravated the difficulties we had to contend against, or of the causes which excite the present anxiety of the people, for I am anxious to disembarrass my statement of anything which could add to its length or interfere with its simplicity; and I am the more disposed to put this restraint upon myself, as a day has been fixed for discussing at large the state of the country. I shall, certainly, Sir, by following this method, best consult my own convenience; but that I should not regard, were I not persuaded that I am, at the same time, attending to the feelings and the wishes of the House, by abstaining from any notice of that part of the public affairs which the Motion I have just alluded to will bring distinctly under the consideration of Parliament. When I put that subject aside, however, I wish, on the part of myself and my colleagues, to state, which I do, in order to prevent any misunderstanding or misrepresentation, that I put it aside—not because we feel no sympathy or commisseration with that part of the people of this country now enduring distress—far from it,—I shall, before I sit down, give the best evidence that it is in the power of any man to give, that we have exerted, and continue to exert, our best endeavours to alleviate, as far as we possibly can, the difficulties of the country, but because, as I have just said, the Motion to be brought forward by the hon. Member for Shrewsbury will afford a far more convenient opportunity for discussing it. In admitting the existence of difficulties, however, I again wish to guard against being misunderstood. Whatever difficulties we have to contend against, I think there is no cause for despondency or permanent alarm—no ground to entertain apprehensions for the stability or the resources of the country. I shall now, Sir, without further preface, enter into the question more immediately before me; but I cannot do so without, in the first instance, calling the attention of the House to the revenue and expenditure of the year which has just passed away. In doing this, I am anxious at the outset to justify the statement I formerly made to Parliament, and to show the House, from a consideration of the Revenue of the past year, the more especially when those causes [are taken into the account which prevented the realization of all that I anticipated, that there are some grounds for viewing, even with satisfaction, the present resources of the country. It will be in the recollection of hon. Gentlemen that in estimating the Revenue of 1829, I took that Revenue at considerably less than the Revenue of the preceding year. A large allowance was made for the probable defalcations then anticipated, from causes which, at that time, I stated to the House, and which it therefore is not necessary that I should now repeat. Having made these allowances, I expressed my belief that the revenue of the year 1829 would amount to 51,340,000*l.* It appears, however, as by reference to papers now on the Table of the House, hon. Members may have the means of ascertaining—that the actual produce of the Revenue of that year has fallen short of the sum I anticipated by an amount somewhere about 560,000*l.* Here I wish previouly to observe, that though the defalcation appears to be of that amount, it is in reality considerably short of it, in consequence of an appropriation of a part of the Revenue different from the appropriation intended to have been made and given in my statement. Thus, from the sale of the City Canal a sum of 130,000*l.* was realized, which was not applied as Revenue according to my former announcement, but was carried forward to the repayment of advances made by the Bank. In reality, that sum has been made available to the service of the country, but it does not appear under the head of Revenue. This would bring the real defalcation to somewhere about 430,000*l.* When the House comes to consider the peculiar circumstances of the country during the past year, and when hon. Members bear in mind the harvest, including all the disadvantages of the last season, thy will not be surprised that defalcations have arisen, they will not blame his Majesty's Government for what was so evidently beyond their power, they will not censure me for making an extravagant statement, which facts did not subsequently justify. Upon an examination of the financial papers, it will be seen that this defalcation arose principally in an article over which the harvest necessarily produced a very considerable effect. I estimated, last year, that the duty on the Malt, would, as compared with the year before, be deficient 600,000*l.*; but the deficiency turned out to be as much as 800,000*l.* Then the falling-off in the Beer duty amounted to 200,000*l.*, making together 1,000,000*l.*; from which, if the estimated defalcation of 600,000*l.* be deducted, we shall have a balance of 400,000*l.* that being nearly the extent to which my expectations were not realized. Thus do I trust that I have succeeded in making out that one disappointment has arisen from causes which no man could have foreseen, and over which no Government could have exercised any control, Let it not be supposed that in stating these deficiencies, I mean to say there are no others, though they are nearly balanced by an unexpected increase, but I wish the House to be aware that the deficiency is nearly accounted for by the failure of Revenue in articles affected by the harvest. I will not conceal from the House that there are other defalcations, but they do not arise from causes which imply a diminished consumption. There is one article, at least, upon which reduced revenue implies nothing of diminished consumption—on tea there has been a defalcation of 130,000*l.*, but so far from that proving a diminished consumption, the fact is, that the consumption has increased. The House must be aware that the duty on tea is an *ad valorem* duty; and this article having been sold, as is well known, at very reduced prices during the last year, has caused this deficiency in the amount of the duty on tea. Comparing the produce of the duty at its lowered sale with the produce of the duty in the year before, we find that the consumption of tea has not fallen off. On other articles of the Excise there are also deficiencies, but not to a considerable amount, making the whole deficiency (as compared with the preceding year) about 1,300,000*l.* With reference to the Customs, on which I ventured last year to lay a sort of calculation before the House, I am happy to say that I have not been disappointed; and the deficiency of the Excise has been in some degree compensated by an unexpected augmentation in the amount received from the Customs. The Estimate for this branch of the Revenue, which I laid last year before the House, amounted to 17,000,000*l.*, while I am happy to be able to state that the actual amount received has been 17,200,000*l.*, which surplus we have a right to set against the defalcation in the Excise. Thus the actual deficiency of the year's revenue, as compared with the Revenue of 1828, was 1,100,000*l.* With respect to the Customs, however, I feel it to be but fair and right to state to the House that a considerable proportion of the Revenue in the present year (and to which the increase I have just mentioned is mainly to be attributed) is owing to the large augmentation under the head of duties received upon foreign corn; and I state this the rather, because it is not my intention, in future statements, to make any allowance for this variation. I find, on an examination of the last year and of th present, compared with the preceding one that the amount received on account of the duty on corn fluctuated between the Excise and the Customs in proportion as the harvest of the year in this country had been abundant, or the contrary; therefore, although this year the scanty harvest has operated as a means of increase to the Customs, should the harvest next year be abundant the increase will be in the Excise. This being the case, though I have thought it right to state the amount of the increase on the corn-duty this year, it will be seen that I do not intend to place any particular reliance upon it. But if (setting this on one side) we look at what, in the course of the last year, has been effected by the produce of the Revenue, I think we shall see in it sufficient circumstances to afford matter of consolation, if not of congratulation. On an examination of these circumstances, it will appear, that during that period, there has been applied to the purpose of reducing the Debt no less a sum than a surplus of Revenue to the amount of 2,400,000*l.*; nor is that, be it understood, an imaginary surplus, but a surplus actually and really applicable to the reduction of the Debt, after making every payment for the year to which the country was justly liable. I advert to this circumstance more particularly, because this being the first year since Parliament came to the determination to devote to the payment of the Debt only the surplus revenue, I am anxious to call its attention to the result of that determination; and also because it affords me an opportunity of calling the attention of the House to some other measures which received its sanction in the course of the Session before the last. This House, Sir, in the year 1828, gave its sanction to a measure which had for its object the conversion of permanent annuities into annuities terminating with the lives of the holders. When I proposed this measure to the House, I did it more in anticipation of its proving convenient to the public, than in the expectation of its extinguishing any very large portion of the national burthens; but, in this latter point of view, I am happy to say, that I somewhat miscalculated, for I find by referring to certain papers now lying on the table, that while the surplus revenue has paid off 2,400,000*l.* permanent annuities to the extent of 2,700,000*l.* have been converted into terminable annuities, which will, in the course of thirty years, relieve the country from a portion of its debt to that amount. With these observations, Sir, I purpose to leave the affairs of the year that is past; and I now have to enter on a labour of a more arduous character. What I now have to do is to lay before the House a consideration of the course proper to be pursued in the year that is before us; and here it is that I have to crave the indulgence of the House in respect to the difficulties in which I am placed. It must be obvious to them that the difficulty of every calculation which I have to make as to the Revenue of the coming year is materially enhanced by the early period at which I have to make my statement; and though in what I have to offer I can assure the House that I have spared neither pains nor labour to come to a just conclusion on all topics, yet I trust that, if it shall be found that I have formed any wrong estimates, I shall receive from the House that indulgence and consideration to which those difficulties I have alluded to may justly entitle me. But, however, before I enter upon that topic, I may be permitted to allude to the circumstances under which I am called upon to make my present statement to the House. Sir, Parliament was informed in the Speech from the Throne at the commencement of the Session, of the existence of difficulties and distress among the agricultural and manufacturing classes in some parts of the kingdom. The knowledge and consideration of this distress have ever been present to the minds of his Majesty's Ministers. Their attention could not be otherwise than directed to the condition of the people, and it has been kept steady to that point by petitions presented to this House from all parts of the country. Addresses too have been agreed to—and debates on the subject have continually taken place within the walls of Parliament. To these petitions, and to every petition of the people presented to this House, it is the bounden duty of his Majesty's Government to pay the most serious attention, so that they may be enabled, should it unfortunately be unable to comply with the prayer of these petitions, to refuse compliance from a sense of the impossibility or the inexpediency of granting it; or, if they concede, to make that concession in the way most advantageous to the petitioners and the country. But these petitions have not only brought under the consideration of Government the difficulties and distress of the individuals from whom they have emanated, they have also prayed for that which it is not unnatural in times like the present that they should pray for —relief from taxation: and it was, therefore, incumbent on those to whom the affairs of the country have been intrusted, to endeavour, by a laborious investigation into the whole circumstances of the case, to ascertain in what manner they could best afford relief to those who suffer the most without injuring the general interests. I know it is supposed that the individual who holds the situation which I now have the honour to fill, has an inherent, an inborn apprehension at the idea of reducing taxes. I know not whether it is just to impute such a feeling to any person, but I am sure it cannot be fairly charged against me. Although, like my predecessors, I may have been forward in resisting the removal of taxation when the exigencies of the country demanded its continuance, yet no man was ever more ready than I have been to relax the public burthens when it could be done without injury to the service of the State. Taxes are, I admit, an evil never to be imposed or continued unless the service of the State absolutely requires them. In considering the state of the country, however, in conjunction with the state of the Revenue (the latter of which is as well known to any hon. Member who attends to his public duties as it can be to his Majesty's Ministers), the question of the mode in which relief can best be afforded becomes most important. In this consideration two courses present themselves:—the one is, to make the relief absolute to that extent to which it is practicable to afford relief; the other is to impose a new tax on that portion of the community which is supposed to have suffered the least, for the purpose of relieving those who have suffered the most. I need not conceal from the House that, among the many projects which are afloat—among the many schemes which have been offered to the consideration of his Majesty's Government, a Property-tax has been suggested as one which might be satisfactorily imposed for the purpose of relieving the industry of the country from more burthensome taxation. It is also useless to conceal from the House, that that subject has received the fullest and most complete consideration from his Majesty's Ministers, and that they have weighed well the advantages of such a measure against the disadvantages which the circumstances of the time at which the scheme has been proposed present: and the result is (with reference to other great financial measures which it has been thought expedient to adopt) that it is deemed more advisable to have recourse to the other mode of proceeding, without, however, pronouncing any opinion, either for or against the abstract principle of a Property-tax; and they have come to this conclusion, from the consideration that such a course would be preferable to transferring the charge from the shoulders of one party to those of another. In considering, then, in what mode it would be most advisable to afford relief to the people, we have continually borne in mind two great principles—the one to afford the utmost relief within our power to the lower orders of the agricultural and manufacturing classes, because we sincerely believe, that on them, of all classes of the community, the pressure most severely weighs, without bearing more heavily than at present on any other class; the other to give them relief by laying a heavier tax on the more opulent classes of the community. I am happy to announce, Sir, that his Majesty's Ministers have resolved to act on the former principle. They are of opinion that no equivalent benefit would result to the poorer classes from laying heavier burthens on their opulent employers. I know that in this feeling I shall have (and, indeed, the cheers of the House already assure me that I have) the concurrence of all who hear me; and I say this the more confidently, because I am sure that there is no assembly, in any country, that has more sympathy for the lower orders of the community than that which I now have the honour to address; and however much it may be contended that we do not represent the wishes of the people, I am sure that no measure, which may tend to their relief, can be proposed without meeting with favour [*cheers*]. When his Majesty's Ministers came to a resolution to reduce taxation, the next principle for consideration—and not an unimportant one either—was to act on the plan of reducing those taxes which, while they gave the greatest relief to the people, produced, by their removal, the least loss to the revenue of the country; for in taxation the degrees in which the revenue is productive, and pressure inflicted, are extremely different. In some taxes the amount received by the Exchequer equals that taken from the people; in others, the amount falls short; and occasionally, taxes have been imposed which have taken a great deal from the people, and brought nothing into the Exchequer. Taking, then, these principles for my guide, the tax which appears to me to call most for remission is the tax upon Beer. Beer, I am sorry to say, of latter years, has become almost a luxury to the poor. There was a time when beer was reckoned one of the necessaries of life, and when the enjoyment of that beverage was looked upon—not as reserved for holidays and feast days, but as a refreshment always to be found at the peasant's table. I hope the measure which I this evening have to propose may be the means of restoring to the working classes that enjoyment which they long possessed, and with that enjoyment I hope those habits of order and sobriety may return, which, by the introduction of other beverages, have been almost destroyed. Beer, at present, is most heavily taxed for the purposes of Government. On each quart of beer of that strength which is usually the standard in London, the duty paid to the State, independently of the malt-tax, is not much less than three-farthings a quart; and when we consider, in the ordinary consumption of a family in the lower ranks of life, how much of this beverage enters into its annual expenditure, any Gentleman, with a moderate knowledge of arithmetic, will be able to ascertain the extent of taxation under this head. But it is not only the tax which is paid to Government that Beer has to encounter: like all other taxes which are raised for the service of the State, the steps which are requisite for its collection necessarily subject the manufacturer to various restrictions which operate to enhance the price. Among other restrictions may be instanced, that while a man may brew one species of beer, he may not brew another. So he is prohibited from varying its strength to meet the palates of his customers, except in certain degrees, besides other circumstances to which I need not now revert, which in themselves impose upon the article of Beer an amount of duty not to be estimated in money, but represented by the degree of inconvenience and restriction to which the whole combined give rise. But there is a still heavier duty on Beer, which I have yet to mention; and that is, the system under which it is permitted to be retailed to the public. That system gives to certain parties only, the right of supply, and establishes a monopoly for them. It would be difficult for me to estimate the amount which is thus added to the Government duty; but I believe that it will be found to be very considerable. I am not afraid to estimate the effect of these restrictions as equal, at the very least, to one-third of the whole amount of duty paid to the State; and therefore we may assume, that, if we repeal the whole Beer duty of three millions, we shall give to the country a relief little short of four millions and a half from the measure. In considering the mode in which relief may be given to the public in the charge upon this article, three courses present themselves by which we may proceed. We may either remove the whole duty on Beer, which is what I propose to do, in the present case, or we may remove the whole duty on Malt, leaving the Beer as it now stands; or we may make a compromise between the two, by taking half off the one, and half off the other. I have preferred to adopt the first of these three modes. And I have done it on the firm conviction, that by so doing I shall best afford relief to that class which I am most anxious to relieve, and that I shall not injure those to whom the other mode of proceeding might be supposed to have been more advantageous. Among the causes which have induced me to make this election is the evident inequality of the tax. The man who can brew for himself is altogether exempt from its influence. If he be wealthy enough to possess the requisite machinery, he is able to drink beer at a price lower than the peasant who has to purchase the beverage itself. And I think, therefore, that this is a circumstance which, under the present difficulties of the country, should recommend the course that I propose. In the next place, by taking off the whole of one tax, instead of a portion of two, we shall be able to save the whole of that superincumbent weight which the restriction, while existing, imposes upon the country; so that, in this way, we shall have the means of making a still further saving, as it will enable us to make some reduction in the establishments. If half the Malt and half the Beer duties had been taken off, the establishments now necessary for levying the whole duties must have been preserved. I think also that the House will perceive, that, taking Beer at the standard of strength at which it is ordinarily drank, the remission of the duty on Beer will afford a relief far larger than a similar reduction on Malt. In the case of London porter, or beer of a corresponding strength, every million of Beer duty removed takes from the price of a quart one farthing, while a million of the Malt duty removed will only lower the price one-twelfth of a penny. That which most tends to lower the price of the article most tends to increase the consumption of it; on this principle the remission of the Beer duty is preferable to remitting an equal amount of the duty on Malt. Even to those who are disposed to press the remission of the Malt-tax in preference to that on Beer, I think that I can afford some satisfaction; for the very repeal of this duty will secure to the maltsters of the country an advantage equal to, if not greater than, that which would accrue from the reduction of the Malt-tax. Can any one doubt that the great object to which the maltsters ought naturally to look is—not the difference of a shilling, or any thing of that sort on the duty—but the increased demand which is likely to arise from the reduction of prices. The consumption of that commodity will necessarily be extensive, in proportion to the reduction in the price; and, if the price be reduced in a large proportion, by taking off the Beer duty, then, by removing the Malt duty, we shall be doing more towards increasing the consumption of Malt than by adopting the other course, and attempting to take a portion from one and a portion from the other, so as to meet the claims of all classes. When I mention the remission of the Beer duty, I must say that this will necessarily be followed by the free sale of Beer. From all that I have seen of the proceedings of the committee which is now sitting, I am confident that a freer sale of that article will be considered by it as essential; and still more certain is it, that if this tax be repealed, it will be essential for the health and comfort of the lower classes that the trade should be opened. At present, while the tax exists, in the vigilance of the Excise, and the activity of its officers, there is some sort of security against the adulteration of Beer;

but if this safeguard is removed, and the monopoly be still suffered to exist, there will no longer be any protection against the use of drugs noxious to the health of those who use it. I propose, therefore, to repeal the whole of the Beer tax, from the 10th of next October. I will explain to the House my reason for proposing this delay. In the first instance, the House will remember that, having in our own minds determined that the repeal of this duty should take place in conjunction with an opening of the trade, we found that it was not practicable to bring these two measures into joint operation till the period for renewing the licenses of public-houses should arrive. If we were to repeal the duty at the present moment, in what a situation should we place those who, not apprehensive of any such reduction, have paid their duty on large stocks. We cannot give them relief without repaying an enormous bounty on those stocks; and though I do not, in this, mean to insinuate anything disrespectful of the persons connected with the Beer trade, we generally find, that when repayments are made on account of duties already received by the public, they amount to a sum far beyond anything that had been calculated upon. Besides these considerations, one great object will be obtained by delaying these measures till October—for it is to be observed, that although the tax on Beer will not cease till that period, there will be an indirect operation in favour of the maltster immediately. Those who are engaged in the manufacture of this article must necessarily anticipate what I myself have anticipated—that is to say, that there will be an increased demand for beer, which cannot fail to infuse into their proceedings a considerable increased alacrity. In this manner the maltster will be immediately benefitted. Among other advantages which attend the repeal of this particular tax, is one which, though not calculated to be generally felt, will, no doubt, be appreciated in some quarters; for, in addition to the removal of the tax upon Beer, I shall be able to take off that upon Cider. That duty amounts to from 25,000*l.* to 30,000*l.*; but though the amount is small, it is collected under circumstances of difficulty and occasional oppression; a great number of oaths have to be taken, and a vast number of vexatious proceedings are adopted. Distinctions are made between cider for sale and for home consumption—between cider made from purchased fruit, and fruit grown on a man's own grounds; all of which tend to involve the parties in endless difficulties, and to give encouragement to all sorts of fraud. The interests of that part of the population by whom cider is principally drank,—I mean the peasantry of several inland counties,—are not less deserving of the serious consideration of Parliament than any other class of the community, and I am anxious to extend every possible comfort to them.

Another subject to which I have now to call the attention of the House is, the remission of a tax which is not, in its operation, limited to any particular class; it refers to an article, which, though not so obviously apparent as that which is under consumption daily, yet appears to me to deserve the attention of the House, both as regards the pressure it causes on the people, and the burthen it imposes, as compared with the amount of revenue derived from it. The tax is one which has frequently been the object of discussion in this House. The tax to which I am now alluding is the tax on Leather. The present amount of revenue derived from that tax is about 400,000*l.*—which is heavily felt by the agricultural population. In one of the long-contested debates on the subject in this House, it was asserted by a noble friend of mine—if I may be allowed to call him so (Lord Althorp) that the greater the distress experienced among the labouring agriculturists, the more heavily did the tax fall upon them. In removing this tax, therefore, Sir, I shall remove a tax which is now felt to press with a peculiar severity on a large class of the people. Moreover, Sir, by abolishing the tax altogether, and then doing away the restrictions that are now laid on the manufacture of the article, which compel the manufacturer to manage the business differently from what he otherwise would, which compel one man to be a tanner, and another to be a dresser of leather; in removing the restrictions, we shall give a relief to the people as well as by the reduction of the duty. At present these restrictions affect the manufacturers injuriously, and are useless to the Revenue; and in doing away with them, I calculate that we shall give additional relief to the public equal to the amount of the tax. It is to attain this object that I propose the abolition of the whole tax. What would the public gain by taking off one half? While the Government would lose some revenue, the price of the article would scarcely be reduced, and little or no relief would be given. A portion of the tax has been already remitted, but the price of the articles was not lowered in consequence. It is for this reason that I do not propose the reduction, but the total abolition, of these taxes. If I had remitted only part of these taxes, the restrictions must have been continued on the trade—an establishment must have been kept up for collecting the tax—and reducing the duty one half would have appeared like doing nothing. In acting on this principle, I wish the Committee to remark, that the Government has not looked to keeping up a large establishment, and it has deferred to what has been considered necessary by the House. I propose, therefore, that from and after the 5th of July next, the tax on leather shall cease, and the reasons why I postpone the abolition of the duty to that period are nearly the same as those which induced me to postpone the remission of the Beer duty—there will then be no claim for a drawback on any stock on hand. The amount of the three duties which I thus propose to repeal will be on Beer, 3,000,000*l.*; on Leather, from 340,000*l.* to 350,000*l.*; and on Cider, 25,000*l.*, making together a sum, speaking in round numbers, of three million four hundred thousand pounds. According, Sir, to my calculations, this reduction will give positive relief to the people, amounting, at least, to 3,400,000*l.*, and it will moreover, if the view I take be correct, give them relief indirectly to a considerable amount: so that in fact we shall give the people, on the whole, relief which cannot be estimated at less than 5,000,000*l.* a-year. We shall not throw away revenue, Sir, to this amount with the prodigality of a spendthrift, careless of every thing, but that he may get rid of his money. We shall not give up any thing to speculation and chance, but as it appears to me, we shall prudently apply the resources of the country to the relief of those particular classes —the agricultural and the manufacturing, classes which labour under the most distress, and have the strongest claim to the sympathy of Parliament, and we shall adopt the most decisive and efficacious method of giving them relief that is in our power.—I have now stated, Sir, the amount of taxation which it is proposed to reduce; and I now come, Sir, to consider the estimated revenue of the present year, curtailed as that will be by the amount of relief I have thought it my duty to afford the people. I calculate that the diminution of the Revenue during the present year, arising from the loss of the Beer duties, during one quarter, will be 750,000*l.*; and I calculate it at this, because, though I am aware that there will be some diminution of the trade in the meantime, in expectation of the reduction of the duty, yet, if I do not miscalculate, there will be a great increase in the operations of the maltster, which will be a compensation for the loss on the Beer duty. Taken at a fair calculation, then, I conclude that the loss of the revenue from the abolition of the tax on Beer will be about 750,000*l.* I shall take the loss arising from the abolition of the duty on Leather, which will begin in July, at 200,000*l.*, making, with the duty on Cider, a diminution in the revenue for the present year of 970,000*l.* This, Sir, is the amount of the reduction for which, after giving the subject the most attentive consideration possible, it appears to me Parliament will have to provide. In making those abatements of taxation which are necessary to give relief to the country, I must, however, add for the information of those who think his Majesty's Ministers ought to have done more, that taxation has been reduced to the greatest extent we think possible, with a view of giving relief to the people. In doing so much, indeed, some Gentlemen may, perhaps, consider that we have overstepped the bounds of prudence, and that we do wrong in trusting so much to our future resources; but when the House hears the grounds on which I rest my hopes of our future revenue, and on which I recommend the course to be adopted, it will not think that our determination to afford relief, after attention had been called to the subject, has been carried too far. Sir, I calculate the revenue of the present year by the account of the revenue of the year which has passed. In the first place, I propose to take the amount of the Customs according to the amount of the last year. I do this, Sir, after examining the subject in all its bearings, and after giving it the best consideration in my power. Looking at the stocks on hand last year, and comparing them with the stocks on hand at present; and seeing that the diminution of almost all articles is very considerable, as compared to last year, I am led to believe that there will be a considerable importation and demand for various commodities, which will make the amount of Customs at least equal to last year. I am bound also to observe, that in this Estimate I make allowance for a considerable saving in the expense of the establishment of the Customs, and in various branches of that department of the public service, in consequence of several reductions which have been lately made. What may be the exact amount of the reduction, though of confined extent, I am not able precisely to say, but I estimate it at 60,000*l*., which, though not a great sum, is not to be overlooked in our present difficulties. Moreover, during the present year, there will be a termination of some bounties, which will give additional relief to the amount of 50,000*l*. Taking all these circumstances into consideration, I cannot estimate the probable amount of the Customs for the next year at less than during the last, or speaking in round numbers, 17,200,000*l*. The Excise I do not propose to take at as great an amount as last year. I feel I might be justified even in taking the amount at as large a sum, for I have been assured by those on whose authority I can rely, and who are well conversant with all the details of the Excise, and who are likely to form a correct opinion, that it will not be much less; but I prefer being on the safe side, and therefore, for the produce of the Excise during the next year, I propose, as compared with the produce of last year, to make a reduction of 240,000*l*. According to the view of many able and skilful men conversant with the Revenue, I might estimate it higher; but I prefer the lower estimate, in order that I may not disappoint myself nor disappoint others. I know, Sir, according to the returns on the Tables of the House, that there appears to be a considerable diminution in the revenues of the Excise; but, Sir, I also know, that according to those returns, the great diminution took place in consequence of the eight weeks' severe weather at the close of 1829, and beginning of 1830, which caused a diminution in that quarter, as compared to the corresponding quarter last year, of 340,000*l*. That severe weather prevented many of the operations which were necessary to the completion of the articles on which duties were paid: but since the weather has become milder, those operations have been renewed, as I am informed with increased activity and vigour, and a corresponding augmentation has taken place in the Excise duties. I see in these facts no cause for any alarm as to the future produce of this branch of the Revenue, and I think, therefore, that we may take the amount of the Excise for the next year at 19,300,000*l*., making, with the Customs, 36,500,000*l*. The Stamp revenues I calculate this year at the same amount as last year. There is no appearance of defalcation in this branch of the Revenue; it reached, during the last year to within 1,000*l*. of my expectations, which were formed on its produce the year before. I see no cause to expect a diminution in the ensuing year; and therefore, I propose to estimate the Stamp Duties at the same amount as last year, or 7,100,000*l*. The Assessed Taxes have suffered little or no variation for two consecutive years, though the amount has rather increased than diminished; and in particular, there is rather an increase of duty on articles of luxury, notwithstanding the difficulties of the times. I propose, therefore, to take the Assessed Taxes nearly at the same amount as last year, or 4,900,000*l*. With respect to the Post Office, I expect the revenue will be more productive, and I am confident that arrangements now in progress will diminish the charge, and increase the revenue. I propose to estimate the Post Office Revenue, therefore, at 1,500,000*l*. being 20,000*l*. more than last year. The small branches of the Revenue are subject to little variation, and they may be taken the same as last year, at 200,000*l*. The miscellaneous branches of the Revenue may also be taken at nearly the same amount as last year, and I calculate them at somewhat less, as there was last year a sum of 70,000*l*. paid into that account, being the amount of fees impounded in the Court of Exchequer in Ireland; and I therefore take the estimate of these miscellaneous branches at 280,000*l*. The whole estimate, then, of the receipts for the present year, will be 50,480,000*l*. I will now proceed to state the probable amount of the Expenditure during the same period for which I have mentioned the Revenue. The first head of our expenditure is that which concerns the National Debt, for which the country is responsible, and which she cannot get rid of with the least regard to honour and honesty. The charge for the interest and management of the National Debt, during the present year, will be 25,670,425*l.*, or say in round numbers, 25,670,000*l.* Some Gentlemen may be surprised that the amount should be very little different from the expense of the antecedent year, but that is the result of an operation of last year, by which a considerable amount of Exchequer Bills was funded and added to the permanent debt, making a considerable reduction in the Unfunded Debt. There will also be an additional charge on account of Annuities terminable, and Life Annuities. The former are annuities to which we can assign the period of the extinction, and the latter we can look forward to their becoming extinct, in consequence of the deaths of the holders. The charge for these annuities will be 2,629,000*l.* We must add to this the interest on Exchequer Bills, 750,000*l.*, making the total charge for the interest and management of the National Debt somewhat more than 29,000,000*l.* The next head of the expenditure of the country is the Pensions, Superannuations, Salaries, and Allowances charged on the Civil List. I will take it at somewhat less than last year, and say that it will be 2,180,000*l.* On a previous occasion I have stated to the House the several items on which I propose to make reductions, and having already explained in detail the grounds of the reductions made, I shall not now again enter into that matter. It appears on the face of the Estimates that are on the Table of the House, that the proposed reductions to be made this year, compared with last year, amount to 1,048,743*l.* The sum, therefore, of 16,580,000*l.* for the year 1830, will cover the different charges for the Army, the Navy, the Ordnance, and the Miscellaneous Expenditure. The total amount of the public charge for the present year, for which the House will have to provide, will be 47,812,000*l.* leaving a clear surplus of 2,667,000*l.* In estimating the surplus of former years, it was taken as clogged with the payments of annuities transferred to the Consolidated Fund; but this year it is to be considered for the first time as free from that encumbrance, and a real surplus to be appropriated to the payment of debt; considering the act of last Session, however, which passed with the entire approbation of the House, and which had for its object the maintenance of a real Sinking Fund, it is necessary that this surplus should be as great as it is after defraying all charges; and I shall, in order to keep up the Revenue, have to submit two measures to the House—one is a Resolution which I shall have to place, Sir, in your hands this evening, and the other I shall bring before the House in a different shape. The House must be aware that arrangements have long been contemplated to consolidate all the laws relative to the Stamp Duties. It is part of that plan to have them levied on one system throughout the whole empire, and a measure was prepared during the last summer to consolidate all these laws, which is now ready to be presented to Parliament. It will be my duty, on an early day, to submit this measure to the House, and explain its details; at present I shall only say, that it has for its object to assimilate the laws relating to the Stamp Duties in the different parts of the empire, to place the management of the whole of that branch of the Revenue under the Stamp-office in England, and make similar articles everywhere subject to the same Stamp Duties. Although this measure involves no augmentation of taxation, yet, in consequence of some Stamps being now lower in Ireland than in England, its effects will be to increase the Revenue. On the people of that country the same Stamp Duties will be imposed as are imposed here, and a uniformity established throughout the empire. The House will not expect me now to enter into the details of this measure; I will only say that it will enable us to dispense with a separate establishment, and otherwise reduce the expense of collecting the Stamp Duties. From the effects of consolidating the laws, and the reductions I have mentioned, I expect that the increase of Revenue this year will be, under this head, 110,000*l.* The Resolution, Sir, which I shall put into your hands applies to the regulation of a subject of another kind, though from it I expect no very considerable increase of revenue—it is a Resolution relative to Spirits of all kinds made in this country, on which I propose to levy an additional duty. The House will bear in mind that the great reduction of the duty on Spirits formerly carried into effect, was intended to put an end to an extensive system of smuggling, which seriously affected the Revenue, at the same time that it corrupted the morals of the people. In reference to imposing a lower rate of duty in Ireland and Scotland than in England, the House will recollect that it was supposed to be necessary, in order to put an end to illicit distillation, which was both an opprobrium and a mischief to the country. Those who proposed that reduction, as well as the committee which recommended it, had it in contemplation, when they lowered the duty, as soon as the establishments for illicit distillation should be broken up, again gradually to raise the duty on Spirits, but not to such a degree as to endanger the return of smuggling. I propose at present the augmentation of the duty on Spirits, but not to such an extent as to risk the return of the evil which we have now happily got rid of. If I were to propose such an augmentation of duty as would risk calling back into existence that extensive system of illicit distillation and smuggling which, for a long time, was attended, both in Scotland and Ireland, with contests little short of civil war, I should be deserving of reprobation, as doing no good to the Revenue, while I should be sure to injure the morality of the lower orders. What I propose, therefore, is, that the duty on Spirits made in Ireland and Scotland, which is now 2*s.* 10*d.* a gallon, shall only be raised to 3*s.* On the best information which I have been able to collect, I am inclined to believe that this small increase will give no encouragement to illicit distillation, and that the increase of the duty will give us a corresponding increase of revenue, without any corresponding evil. If the House should concur with me, I have no doubt that the operation will be beneficial, tending, perhaps, to change the taste of the people, and make them use, in preference, the article which it is one object of my present proposition to reduce in price. With respect to England, in which the danger from illicit distillation is not so great, and in which it has never been practised to the same extent as in Ireland and Scotland, I propose to raise the duty on Corn Spirits to a much higher degree. The proposition I shall make to the House will be, to augment the duty on English spirits 1*s.* per gallon, making the duty 8*s.* per gallon instead of 7*s.*—an increase which is not likely to encourage an increase of illicit distillation. The amount of increased revenue derived from this source will probably be about 330,000*l.*, which being added to the surplus already mentioned, and compared with the whole expenditure, will leave us a surplus of somewhat more than 3,000,000*l.* The reduction of the Revenue by the abolition of the taxes on Beer, Leather, and Cider, will be less than one million a year, which will be in part met by the measures I propose. From that surplus we must deduct the loss of revenue occasioned by the reductions I propose, which will leave us a clear surplus of about 2,000,000*l.* Some honourable Members may find this surplus short of their wishes, and others may desire further reduction of taxation; but I apprehend that the surplus will be found sufficient to guard against any unfavourable consequences to the Revenue which may arise from another defective harvest; it will be sufficient, on the one hand, to secure us against any circumstances of that kind; but, on the other, it is not more than sufficient for so desirable a purpose. It will guard against any contingencies, while the reductions I propose will give the country considerable relief in its present difficulties. It is my duty to recommend Parliament to make such arrangements as will, considering the distress of the country, guard against future evils, while we remove that distress to the greatest extent possible. I should be unwilling, therefore, to recommend any measures that the present circumstances of the country would not justify, or which would diminish the two millions of surplus which I consider necessary to repair any mischiefs that may arise. Gentlemen will bear in mind that the surplus is not only desirable to reduce the National Debt, but also to support public credit. It is necessary to guard against possible defalcation. In the circumstances of the country, it is also, I believe, necessary as a caution, and as a guard against the greatest danger that can befall us in a financial point of view—the danger of borrowing under disadvantageous circumstances. There is, however, something more than the Revenue and the Expenditure of the present year to be looked at. It must be obvious to the House, that in examining the taxes to be repealed, and what will be the operation of repealing them, we must also look to the probable effect of the reduction, not only in the present year, but also in the following year, 1831. The whole reduction of 3,400,000*l.* will only then come into effect. To meet this, or a great part of it, the House has many resources, some immediate, on which we may confidently rely; others placed at a distance, but which will certainly be equally available. It may look to those other resources, and rely on them with confidence to meet any future deficiency. In particular, Sir, the House has resources, by its exertions in maintaining public credit, which it may now employ very advantageously in the reduction of the interest of the National Debt. In examining attentively the present condition of the country, looking to the state of the exchanges with foreign countries, looking at the great accumulation of capital, and to the diminished rate of interest in the public markets for all public and private securities, I cannot entertain a doubt that the House has now the power, effectually and conveniently, to reduce that part of the National Debt which bears an interest of four per cent. It is, therefore, my intention, as the result of an examination of the Revenue, to look for a part of our resources for the future from a diminution in the rate of interest on the public debt. In a few days I shall have the honour to propose to the House to fix a time for giving notice, on some early day, of the terms on which it will offer to the holders of the four per cent stock a stock bearing a less annual interest. I will not now enter into details which cannot be complete and satisfactory, as I propose, on an early day, to bring the subject before the House. The country, then, possesses resources which will, I trust, enable us to meet every future difficulty; and I have such confidence in the result of the measure I now propose, and in the consequence of other measures for a diminution of expenditure which are in progress, that I do not anticipate any embarrassment in our financial calculations, or that we shall not be able to make still further reductions hereafter. It has been the fashion to assume, because the Government has this year reduced the expenditure, that it now means to lie on its oars, and rest contented with what it has done; but I will say, as the industry of the Government has been exercised to a great extent in making all practicable present reductions, that the House may rely on it to pursue the same courses hereafter. Looking at what Ministers have done, and considering what they have pledged themselves to do, it is right to be content for the present, and to wait the result of the measures which are in progress; for although the reductions already made in the amount of expenditure, over which the Government has any control, have been great—and that they are great, no man I think who looks at the evidence before him can this night venture to deny; yet the same active industry, and the same thorough and anxious desire to alleviate the burthens of the people, and to diminish all unnecessary expenses, will still be continued in exercise, and I have no doubt with great additional advantage to the country. It is not, however, so much to the reductions that have already taken place, however extensive, that I look for the approbation of the House and the country, as to the reductions yet to be made. The various departments of the Government are engaged in an examination of the minutest kind into the expenditure of every branch of the public service, and I look to the result of that examination for the means of still further relieving the burthens of taxation. The Government proposes to take this examination entirely on itself, confiding it to gentlemen connected with the Government, but unconnected with the particular departments to which these inquiries are to be extended. The House knows well the benefit derived by the Government from inquiries of this kind; and this much I may say, that we are thoroughly convinced of the necessity of preparing to meet any deficiencies by every possible exertion, and that we are determined to undertake no change, and to propose no measure, which we are not prepared to justify by our conduct, with respect to the expenditure. I know the extent of the labour it imposes on the Government; but I also know that my honourable friends are determined to spare no exertion to increase the resources which may be applicable to a diminution of the expenditure. I look then, Sir, to the consolidation of various departments of the public service, to a better and more economical mode of collecting the Revenue than at present, as likely to place hereafter at the disposal of the Government a great surplus revenue, which will enable us to reduce taxation still further. In the same manner, and to the same extent, the Government proposes to empower a commission to deal with the whole of the Colonial expenditure. The Government is fully aware of the difficulties which lie in the way of this determination. It knows that it is not easy to find men conversant with all the details of this most extensive branch of the expenditure; but the task will probably be efficiently performed by men appointed by a Government desirous of concealing no abuses, and of producing, by every practicable means, additional resources for the service of the country. It is for these reasons that the Government, relying on the beneficial results which have been generally produced by commissions of Inquiry, have determined to avail themselves of their services in reducing these branches of expenditure. And here I may perhaps be permitted to advert to a subject which came under discussion, on one of the evenings on which I had lately the misfortune to be absent from the House; I allude to the subject of Superannuation Allowances; and for my own part I can have no hesitation in saying, that a regulation has been already made on the subject. I remain of the opinion I have always professed on this question, that whatever may be done with respect to the superannuations already granted, or whatever may be the extent of our right to meddle with those allowances now, we are bound to look narrowly at the method of granting them in future. I think, however, that there will not be any disposition to charge the Government with indolence or indifference on the subject. It is needless to advert at present to the circumstances which have prevented the regulations from being carried into effect much sooner. It will perhaps be sufficient to mention, that by the terms of a Treasury Minute, passed in the course of last summer, every person hereafter accepting office under Government is required to submit to an annual reduction according to the amount of his salary, which is to be formed into a fund, out of which the superannuation allowances are to be paid; and it will be my duty, in the course of a few days, to bring in a bill to authorize the appropriation of the produce of that fund, and to regulate the method by which it may be most beneficially managed for the advantage of individuals, and the relief of the public purse. If, at the time the bill is introduced, it should appear advisable that a committee be appointed to investigate the whole of the subject, and to inquire into the necessity of going even further into other branches of the public service than the Government has already proposed, I have no hesitation in saying, that I shall feel it my duty to move for that committee, and to go into any inquiry it may recommend, with a view to ascertain to what extent it may be right to proceed, keeping in mind what is just to the individual, and what is just with regard to the public. With respect, however, to the superannuation allowances of the public servants in the Civil Departments, I have no doubt that the provisions of the bill will be found effectual and satisfactory. The allusions to this subject, which is somewhat beside the question before the committee, have drawn me from the observations I was applying to the public expenditure. I have already said, that I place a great reliance on the economy of the Government as a method of supplying any deficiency which may arise from the alteration of taxation. But there is one other source on which I rely with great confidence, and which I think well calculated to supply a very considerable proportion of any probable or conceivable deficiency of revenue—I mean the augmentation which must necessarily take place in all the remaining branches of taxation, by a repeal of those taxes which have pressed on particular portions of industry and production. I think it is almost impossible to imagine that the Malt-tax should not receive a great increase from the reduction of the duty on Beer, and that the general stimulus, which generally results from the reduction of taxation, will have a most beneficial effect on every branch of industry which contributes, immediately or remotely, to the Revenue. If these calculations should prove favourable, and I have no reason to apprehend that they will not—then the application of the further surplus will be the means of adding still more to the comforts of the people; but if, on the contrary, they prove unfavourable, and a deficiency should arise from our financial arrangements, I am confident that Parliament will know how to deal with that mischance, and it will not shrink from the performance of its duty to the country in making a provision for the deficiency. For my own part, I can say, with all sincerity, that I have laboured most earnestly to select the course which I thought most conducive to the public good, and that I have endeavoured, in the application of those means placed in my power, to give relief in the quarter where I knew the greatest distress to prevail; and that I have exercised the discretion reposed in me in that manner which I conceived to be most conducive to the comfort and happiness of the labouring classes of the people. If I should be disappointed in the effects I anticipate from that selection; if the Revenue, instead of being benefitted, should be injured, I shall still have the satisfaction of feeling that my intentions were good, and that I erred with an earnest desire to relieve. I do not think, however, that we shall fail; I see in the darkness that has lately surrounded us, a ray of light. I think that there is even now a prospect of our emerging from the clouds of misery and distress by which we have been enveloped, into a state approaching to something of greater happiness and prosperity; but if I shall unhappily be disappointed in that expectation, I shall deplore, but not regret, my error. I shall rejoice that I have made an attempt to relieve those classes which have been suffering so much from distress; and I shall be well content to acquiesce in the oboloquy of having made a false calculation.

Mr. *Alexander Baring* said, that no Minister ever came down to that House to declare his intention to relieve the burthens of the people under circumstances which required such an announcement more strongly than those which attended the right hon. Gentleman, and that no Chancellor ever did so without being hailed by the applause of the House and the people. He was sorry to say, however, that he did not agree with the right hon. Gentleman in his opinion, that the distress was much diminished; and although he rejoiced, in common with the House, at the prospect of a reduction of taxation, he could not give his unqualified assent to some of the statements of the right hon. Gentleman, nor to the course which he intimated his intention to adopt with reference to the public funds. He thought that the right hon. Gentleman had not stated very clearly the supplies from which he intended to draw the means of these reductions, nor the situation of the public income on which he proposed that his reductions should operate. The right hon. Gentleman proposed reductions of taxation to the extent of 3,400,000*l.* His surplus was made up of 2,667,000*l.* being the surplus of the income of the year over the expenditure, of 110,000*l.* which he anticipates from the Stamp Duties, and of 330,000*l.* from Spirits. The whole of the surplus might be taken, perhaps, in round numbers, to be 3,070,000*l.*; and the reduction of taxation to be 3,400,000*l.*; so that there remained about 330,000*l.*, looking at the case according to figures, to be supplied in some other way. There was, in fact, a deficiency to that amount not provided for. He did not quarrel with the right hon. Gentleman for putting forth his vision of better days, and his hopes that the clouds would be dispelled which now hung over our industry and our commerce; but it was right to say, that in figures—laying aside the anticipations of fancied prosperity—there would be a deficiency to the amount he had stated, wholly unprovided for.

The *Chancellor of the Exchequer* hoped the Committee and the hon. Member would pardon him for offering a very few words in explanation of this part of his statement. He did not quite agree in the calculation put forth by the hon. Member for Callington as the result of his statements. When the hon. Gentleman said that he calculated the Spirit Duties at 330,000*l.*, or perhaps 400,000*l.*, the hon. Gentleman should recollect that he made that calculation for the portion of the present year which was still to come; and that if he had made his calculations for the whole of the year, and included the portion of the next year, to make up for that which was passed of the present, he should be more accurate if he stated the Stamps at 200,000*l.* and the Spirits at 450,000*l.* The hon. Member would also give him leave to say, that when he calculated an increase of revenue from the augmentation of the Excise Duties, although he did not state the amount, he might, as a consequent of the repeal of the Tax on Beer, have stated the increase on Malt as a positive increase, which would have been a compensation, although he had not brought it formally into the account.

Mr. *Baring* said, they were then come to this, that, after all that had been said of a surplus of Revenue over Expenditure, in order to supply the demands of the Sinking Fund, all surplus for that purpose was now disposed of, and it was reserved for the right hon. Gentleman to undo all that had been done by all his predecessors; and laying his hand on the only surplus which they had, to declare that all hopes of a surplus, to be applicable to the reduction of the public debt, were to be derived from some sanguine expectations of a future, though distant, improvement of the Revenue. He did not believe, however, that the public creditor would be affected in his sense of security by any thing which had been done. There was in the people of this country a sound sense and right feeling, and such a principle of good faith, that no acts of the Government could shake their sense of security; but he would ask at the same time, if all hopes of repaying that debt through the means of a Sinking-fund was at an end; whether they were to go on for ever without making an effort to get rid of the load which weighed down the energies of the country? If any Gentleman indulged himself with a vision of future prosperity ever enabling them to get rid of that debt, all he could say was, that he would be lamentably disappointed. He repeated that, as far as figures went, there was not any surplus, but a deficiency unprovided for; and he must say it was singularly unfortunate, that measures of finance, avowedly brought forward for the improvement of public credit, should have the contrary effect, by showing that the means which were devised to support it had failed, and that the Government, so far from possessing a surplus of revenue for the payment of the public creditor, was actually unable to meet the whole of the deficiency. He did not mean to say that this was calculated to excite the slightest feelings of apprehension in the breast of the public creditor; but this he would contend—that the means of providing for the exigencies of war by borrowing from capitalists were at an end, that the funding system was at an end, and that it would be impossible to find the means of providing for future exigencies in that way, unless by the commission of an act of the most profligate dishonesty towards the present public creditor. Mr. Pitt, at the time he proposed the establishment of the Sinking Fund, declared, "that no Minister would ever have the confidence to come down to the House and propose the repeal of a measure, the tendency of which was to relieve the people of their burthens;* he further declared, that to suffer "that Fund at any time or on any pretence to be diverted from its proper object, would be to ruin, defeat, and overturn the whole of his plan. He hoped therefore, when the bill he should introduce should pass into a law, that House would hold itself solemnly pledged not to listen to a proposal for its repeal on any pretence whatever."† These were the words of Mr. Pitt; and yet they had lived to see the time when a Minister appeared in that House, and after frittering away on one pretence or other all the benefits which were hoped to be drawn from the Sinking-fund, he finally proposed to sweep away altogether the income laid by for its maintenance. He was convinced that means would and should have been found to support this fund; but if they were to adopt the policy expounded in the market-places—if they were not to look at the consequences of being compelled to go to war, but, on the contrary, to obey the recommendations, and chime in with the prejudices, and act according to the political wisdom to be heard at Penenden Heath, or in the Market-place of Chelmsford, then he would say, that the credit, the honour, the interests, and the power of this country must ultimately sink with the weakness which permitted the House to listen to such suggestions. He had always thought favourably of Mr. Pitt; he had always admired his domestic policy, whatever he might be disposed to say of his conduct with respect to our foreign relations; and when he was taunted, as he had been, with condemning the Sinking-fund of Mr. Pitt, it ought to be recollected that he did not condemn the Sinking-fund, but the abuses of the Sinking-fund. He did not find fault with the real, but the sham Sinking-fund, than which he confessed he could scarcely conceive any thing more absurd and disgraceful to the Government and the country. This was the consequence of the clause of Mr. Fox not having been acted on during the war. He had never blamed the plan of Mr. Pitt; he had always looked on it as the only means of saving the country from the consequences of its debt—and had complained, not that the system was followed up, but that it was abandoned. Mr. Pitt determined, that whenever the Sinking-fund fell short, the deficiency was to be supplied by an increase of taxation, and he (Mr. Baring) was thoroughly satisfied, that if that plan had been strictly followed up, and if the Sinking-fund of five millions, once proposed to be inviolable, had up to that hour been maintained inviolable, the House would not at that moment be considering the propriety of a plan for reducing the interest of the four per cents or the three per cents, or any other stock, but it would have been enabled to change the whole of the debt at that moment into terminable annuities. This was his firm opinion. He thought that the proposal to reduce the four per cents came with a very bad grace from the mouth of a Minister who acknowledged that the hope of paying any portion of the debt was almost virtually abandoned; and although, if it suited him to hold property in the funds, his confidence in the good faith of the country, or the security of his debt, would not be diminished, he could not but repeat his opinion, that all financial operations in a moment of national difficulty were henceforward at an end. This was a subject which involved the interests of a great many persons. Perhaps the House was not aware of the number of the public creditors. There were 274,823 different accounts in the books of the Bank of England. In each account it might be taken that at least five persons were interested; so that there were above 1,374,000 persons interested in the stability of the public securities. These 1,374,000 persons might be considered to be the great mass of the intelligent persons of the country. Out of the holders of the 274,823 accounts, 250,000 did not receive a greater half-yearly dividend than 100*l.* and the number of half-yearly dividends of 500*l.* did not exceed 2,000. Many of the accounts also were the accounts of Savings-banks, in which numerous individuals were interested. The House should ponder over facts of that description, and he would recommend them particularly to the notice of Gentlemen who proposed what they called an equitable adjustment. The House should further recollect, that the stability of the public credit generally rested on the same basis of implicit confidence. What affected one class would naturally be felt as shaking the security of all. He asked, could any of these people ever dream that it was intended thus, without notice, to alter the value of their property? Could any body contemplate that a movement like this should form a part of the deliberate policy of a legitimate government? When such measures were executed, did any man believe that the remaining creditors of the country could feel that the bit of parchment which they had been taught hitherto to consider as the representative of a principle of permanent security retained its staple value? He regretted extremely that in this instance the Chancellor of the Exchequer had permitted himself to be pressed into such a measure, by the influence, he feared, of Gentlemen from both sides of the House. He had great confidence in the intelligence of the right hon. Gentleman, but he lamented the course which he had taken on the present occasion, from his firm persuasion that it was calculated to bring the funded system of Great Britain, which had been hitherto deemed to be fixed on a basis of security, into a hollow and unsafe position, such as, in the event of a war, would tend to impair her energies, and diminish her strength. If the stockholders did not petition Parliament to protect their rights, it was because they had relied on the entire security of their situation. By this measure that sense of security would be destroyed: and he could not help regretting a measure which must leave Government in a hopeless condition with respect to any future contracts which the service of the State might render necessary. He would recommend the right hon. Gentleman to read an able pamphlet, recently published, the writer of which proposed the conversion of the four per cents into five per cents, by giving to the holder of every 100*l.* stock in the former, 70*l.* stock in the latter; the interest of which would be three and a half per cent. By this means there would be effected a saving of 1,700,000*l.* of interest, and a reduction of forty or fifty millions of capital; making the five per cent stock thus created irredeemable for fifty or sixty years. It was very true that to every contract there must be two parties; and it might happen that to such a conversion as that which the pamphlet recommended the holder of four per cents would be indisposed to accede. Still he thought that it was a subject which well deserved the right hon. Gentleman's attention. He was also of opinion that it might be advisable to follow, in this respect, the example of the French government, and to obtain from Parliament the power of taking any step of that kind, during the recess, which circumstances might seem to render expedient. It would be much more beneficial for the Government to arm themselves with this power of acting when favourable moments arose, than to pledge themselves in that House to the conditions of a positive bargain. When he entered the House, he was unaware of the precise taxes which were to be reduced, but he was at the same time quite satisfied, that in the present excited feeling of the public mind it was necessary to do something in the way of reduction; but he certainly was far from being prepared to expect that the permanent credit of the country was to be shaken by such a measure as the right hon. Gentleman contemplated, owing, he had no doubt, to the pressure which was upon him,—a pressure which he (Mr. Baring) was unprepared to say he could or could not have resisted. It would, however, he thought, have been much more fortunate for the reputation of the right hon. Gentleman, and more to the advantage of the country, to have paused a little, and seen whether the means of recurring prosperity were not likely to arise, before he took a step, the inevitable tendency of which was to inflict a permanent evil, calculated hereafter to augment national distress. If the Members would turn back to the debates on the financial system of the country in the time of Mr. Pitt, in 1786,* when he arranged his Sinking-fund, they could not fail to be struck with the example of the value which was placed upon that fund, by the manner in which the sentiments of Mr. Pitt were warmly re-echoed by Mr. Fox.† They would likewise see how invariably the public distress had been exaggerated, and how prone people were to precipitate measures of this kind, when by a calmer and better digested system, great eventual evils would have been averted. The income of the country was at that period (1786) estimated at 15,000,000*l.*, and its financial condition was then thought to be almost overwhelming. Mr. Pitt's words were, "To you do the public turn their eye, justly expecting, that from the trust you hold, you will think it your duty to make the most serious efforts, in order to afford them the long-wished-for prospect of being relieved from an endless accumulation of taxes, under the burthen of which they are ready to sink."‡ This 15,000,000*l.* was then deemed the insupportable weight, and it ought to be some consolation to them to know that the country speedily emerged from its desponding condition, by having its finances placed, at the time to which he referred, on a basis which ensured, from that period to the present, security to the credit of the country. Mr. Pitt, in the debate of 1786, went on to say—"Upon the deliberation of this day do they place all their hopes of a full return of prosperity and that public security which will give confidence and vigour to those exertions in trade and commerce upon which the flourishing state of this country so much depends. Yet not only the public and this House, but other nations look to the business of this day; for by the establishment of what is now proposed, our rank will be decided among the powers of Europe. To behold the country emerging from a most unfortunate war, which added such an accumulation to sums before immense, that it was the belief of surrounding nations, and of many among ourselves, that our powers must fail us, and we should not be able to bear up under it; to behold this nation, instead of despairing at its alarming condition, looking boldly its situation in the face, and establishing upon a permanent plan the means of relieving itself from all its encumbrances, must give such an idea of our resources, and of our spirit of exertion, as would astonish the nations around us, and enable us to regain that pre-eminence to which we were on many accounts so justly entitled."§ These were the words of Mr. Pitt, re-echoed, as he had already said, by Mr. Fox, who, struck with the necessity of giving increased stability to the principle of security on which the public creditor relied, seemed to stifle on this occasion the eager spirit of party feeling which at that time excited the House of Commons, and to exhibit a contrast, he regretted to say, to the degeneracy in the present times, when, within and without that House, no repugnance was shown to a total departure from those just and inflexible principles upon which Mr. Pitt mainly relied to conquer impending difficulties. He was convinced that they all desired to abate the pressure of the public distress, but he doubted if the measures then proposed would be the means to effect such an object; he believed that distress to be temporary and partial, and that, if not tampered with, before the next Session of Parliament they would hear no more about it. Indeed, such was his opinion of the national energies, that he firmly believed, if any attack were made on their interests, or their honour, all the present apprehensions of embarrassments would vanish, and the whole country would be aroused to activity and exertion to vindicate its station and character. But every compromise of the financial faith of the country would tend to weaken this national confidence, and bring ruin upon thousands who had reposed upon the permanent security of the national pledge. He deplored, that of all countries England should have set this example, and at such a moment, too, when America was almost wholly getting rid of her debt; while Russia was reducing her's, and Prussia following her example; when even Austria, who lagged behind every other European nation in her financial system, was attempting to do the same; that at such a time, Great Britain, which was held up to surrounding nations as a bright model of a rational and secure system of finance, should be the only country which was shrinking from her own principles, upon the apprehension of suffering which he believed to be exaggerated, was a source of deep lamentation to him. These were his general views of the right hon. Gentleman's suggested financial operation. As to the taxes he proposed to reduce, he did not mean to differ much from him upon the selection of the particular articles; indeed he thought he had made a most judicious selection. Some people would perhaps think the Malt-tax ought to go in preference to that on Beer; the Cider-tax was, he agreed with the right hon. Gentleman, more vexatious and inconvenient than oppressive in a pecuniary point of view; the repeal of the Leather-tax would undoubtedly give relief. The right hon. Gentleman talked of the relief which the Beer-tax repeal would give to the peasantry of the country; now he rather thought the chief advantage would be felt by artisans in towns. He knew that in his own village the farmer brewed the beer which he used among his peasantry, and therefore, to persons so placed, the repeal of the Malt-tax would be preferable. Reverting, however, to the financial topic, he thought it would have been much better to have considered the propriety of improving rather than relaxing the principle of our financial system, so that in the alternation of years of peace and war, the country would proceed upon an equable plan, having for its purpose the gradual reduction of debt. The hon. Member then reiterated his objections to the proposed plan of the Chancellor of the Exchequer, which was, he thought, calculated to throw suspicion and distrust upon the stability of the public securities, and prevent, in future times, capitalists from confiding, as they had hitherto done, in the faith of Government.

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* Hanssrd's Parl. Hist. vol. xxv. p. 1309.

† Ib. 1322.

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* Hansard's Parl. Hist. vol. xxv. p. 1294.

† Ib. p. 1315.

‡ Ib. p. 1295.

§ Ib.

Lord *Althorp* said, he took a very different view of the subject indeed from that which had been taken by his hon. friend the Member for Callington, not thinking with him that it was necessary to devote so much of our revenue to such a sinking-fund as he had described in the greater part of his speech, and rather concurring with the Chancellor of the Exchequer in his present view of the subject, which certainly did not deserve to be called a breach of faith with the public creditor. The greater part of his hon. friend's observations had been directed against the reduction of the four per cents. He was sure, however, that the stockholders generally would not be at all alarmed at what had fallen from his hon. friend; and that they would not think their property rendered in the slightest degree insecure. Their condition was not in the least degree altered by the proposed arrangement, because their property was quite as secure, and as much at their command, as before, and he was at a loss to see how his hon. friend could establish the suspicions which he had cast upon the stability of the public security. It was impossible, in this free country—it was impossible in any free country, that any breach of faith, such as that of which his hon. friend appeared to entertain some apprehensions, could be effected. He did not think, therefore, that the circumstances to which his hon. friend alluded would have the effect which he anticipated from them. With respect to the rest of the propositions of the right hon. the Chancellor of the Exchequer, he (Lord Althorp) entirely approved of them as far as they went. He highly approved of the reduction of the taxes, and especially of the reduction of the tax on Beer; which was, in his opinion, a very wise proceeding. And moreover, he would say, that if the right hon. Gentleman really calculated on the positive reduction of the Revenue to be as great as the apparent amount of taxes reduced, the country could not expect him to go much further than he had gone. He regretted, however, that the right hon. Gentleman had not taken a more enlarged view of the subject. He regretted that it had not occurred to him that the reduction of taxes which bore on the productive industry of the people was calculated to increase rather than to diminish the Revenue. That had been shown in various cases. There was the tax on tobacco, for instance, a tax of 400 per cent on the article. The fact that the last increase of the duty upon tobacco had not increased the revenue arising from it, was a proof that tobacco was overtaxed. He was convinced, that with due attention and consideration, much greater relief might be afforded to the people, in the shape of a reduction of taxation, without any diminution of the Revenue. On that point an hon. friend of his had given notice of a motion for Friday next, in which motion—which he had hoped might have been rendered unnecessary by the financial statement of that evening—he now trusted that his hon. friend would persevere, and that he would receive the support of the House. He was not without hope that even the right hon. Gentleman would not object to his hon. friend's motion, considering its great importance. It was most desirable, indeed essential, that a general view of our finances should be taken, to alter, if possible, the unequal burthen of taxation, and render it less onerous on those classes who were least able to bear its weight. The hon. Member for Callington had said that, in 1786, Mr. Pitt considered a taxation of fifteen millions as pregnant with ruin to the country. At various periods of our financial history, similar opinions had been entertained. For himself, he was of opinion that the present amount of taxation, if properly levied, and not permitted to press on the productive interests of the country, might be borne without difficulty. Whatever surplus there might be of income over expenditure, ought, in his opinion, to be reduced in taxation. He never approved of the application of such surplus to the reduction of the national debt. He looked at that debt, not as capital which was to be liquidated, but rather as a perpetual annuity chargeable upon the country; and he was convinced, that if, as he believed, by repealing taxes, the general wealth of the country would be more increased than the debt would be diminished by their continuance, good policy dictated that the amount of the taxes should be left in the pockets of the people. The right hon. Gentleman had said that, under the present circumstances of the country, Government felt called upon to run some risk on the question of Revenue. He (Lord Althorp) wished that they had run further risk. He wished that they had reduced other taxes; the reduction of which he was persuaded would have benefitted rather than injured the Revenue. By reducing the taxes to which he alluded, a spring would be given to industry, that in its effect would much more than compensate to the Revenue for its diminution in the first instance. Such were the views which he entertained on the subject. He approved of the reduction as far as it went; but he regretted that it had not gone further; he regretted that more general and extensive views had not suggested to his Majesty's Ministers the expediency of looking at the subject in a more enlarged view, and of proposing a more general measure of reduction.

Mr. *Robinson* followed; but all that we were able to collect of the hon. Gentleman's observations was, that nothing which he had heard from the right hon. the Chancellor of the Exchequer would have the effect of inducing him to relinquish his intended proposition, on Friday next, to make a more extensive reduction of those taxes, such as those on Soap, Candles, and Hides, which pressed on the productive industry of the country, and to supply any deficiency which might thereby be occasioned in the Revenue by an equitable assessment on property.

Mr. *Hume* was anxious to say a few words, after what had fallen from the hon. Member for Callington, because he thought that that hon. Gentleman had taken a very unfair view of the statement of the right hon. the Chancellor of the Exchequer; and had expressed fears with respect to the injury that statement was calculated to effect on public credit, which fears existed, he believed, in no other mind but that of the hon. Gentleman. If there were any subject which less than any other he should have expected to be agitated that evening, it was the Sinking Fund; a topic which had long been dead and buried.

He had hardly thought to have heard any hon. Member rise that night to vindicate the principle of what had been called a Sinking Fund, which had been of late years proved to be a practical burthen instead of a relief. The hon. Member for Callington had, however, quoted the speeches of Mr. Pitt and Mr. Fox, in support of a system which was now admitted on all hands to have been altogether fallacious. There was nothing in Mr. Pitt's plan which made it differ from a private gentleman's own view of his commercial affairs; and it was a complete fallacy to say, that any individual could go on paying off his debts, by dealing in this manner with his own securities. The only way in which a government could diminish debt was, by applying surplus annual revenue to its liquidation. The idea of any person's paying his debts by borrowing was now allowed by every body to be perfectly impracticable; and yet if the hon. Member for Callington did not advocate that principle, it was difficult to see how he could advocate the Sinking Fund. Last year the more enlightened principle had been fully admitted and established, that the surplus of the Revenue applied to the discharge of the debt was the only legitimate Sinking-fund. He entertained no such fears as those which had been expressed by the hon. Member for Callington, who, he thought, had been rather hard on the right hon. Gentleman, in stating that he was the first Chancellor of the Exchequer who had taken away the credit of the country. He was, on the contrary, persuaded, that if the right hon. Gentleman had gone further, and had applied the 2,000,000*l.* to reduce 2,000,000*l.* more of taxation, he would have done more to support public credit than by diminishing the debt to that amount. However, no taxes could have been more judiciously selected for the operation of reduction. The free sale of Beer would be highly advantageous to the people; and he was persuaded that the right hon. Gentleman had by no means over-estimated the benefit of that measure. The relief given to the country would, he had no doubt, greatly exceed the nominal value of the tax reduced, and instead of being estimated at 3,000,000*l.* would, in point of fact, be equal to 6,000,000*l.* of relief to the public. In the article of Leather also, great advantages would result from the repeal of the tax. It would relieve the trade from being in the hands of great monopolists. The regulations of the Excise with respect to the Leather Trade were so severe that scarcely any one could escape, and the number of persons engaged in it was, therefore, very limited. The repeal of the tax would increase that number, and the public would benefit by the consequent competition. Still he thought the right hon. Gentleman might have gone a great deal farther; and he perfectly agreed with his noble friend, the Member for Northampton, that the same amount of taxation which at present existed might be imposed with a quarter of the pressure on the people if it were removed from articles of productive industry. The noble Lord had certainly misunderstood the Chancellor of the Exchequer, for the right hon. Gentleman was not averse to any change of taxes that might be beneficial. All he had said was, that the subject had not entered into his present plan. He (Mr. Hume) could not now contemplate that the right hon. Gentleman would give his assistance to the hon. Member for Dover, in his efforts to show what taxes could be reduced or repealed, and laid on other items, with a view of benefitting trade, and alleviating the burthens of the people. The Chancellor of the Exchequer had not said one word upon the important changes that might be made in this respect; but it was not to be inferred from that that he was averse from such changes. The right hon. Gentleman proposed, for the present year, to take off the duty on Beer, to the amount of 750,000*l.*, and on Leather, to the amount of 200,000*l.*—making in both a relief of 950,000*l.*; but there was to be an additional tax put on, to the amount of 400,000*l.*, so that the nett reduction would be 550,000*l.* With this relief there would be left in the Treasury a surplus of 2,170,000*l.* So far from applying this amount of surplus, as the hon. Member for Callington recommended, to the reduction of the three per cents, he ought to proceed, in the present state of the country, to give a relief to taxation to that extent. He held in his hand a statement of all taxation repealed since the termination of the war in 1816: but not including the 18,000,000*l.* repealed in 1816. Since that period, there had been repealed (deducting the 3,000,000*l.* added in 1819) 9,234,000*l.* This had been taken off between 1818 and 1825, and he would compare it to the results of receipts into the Exchequer, in order to shew that there could be no fear of a deficiency of receipts in the ensuing year owing to the reductions at this moment proposed. In 1817 the amount of taxation was 57,650,000*l.*, and 9,234,000*l.* had been repealed. The Revenue last year had been 55,900,000*l.*, which, deducted from 57,650,000*l.*, the Revenue of 1807, showed a deficiency of 1,750,000*l.*; and the House would thus see, that although 9,234,000*l.* of taxes had been repealed, it had only occasioned a deficiency of Revenue to the extent of 1,750,000*l.* If, therefore, the Chancellor of the Exchequer had taken off more taxes this year, he yet might have expected a sufficient receipt next year to meet the whole of his reductions. The right hon. Gentleman did not sufficiently consider the situation of the country, or he would have given a more extensive and instantaneous relief than he had proposed; and he had no difficulty in stating that he might have reduced a little more. The right hon. Gentleman ought to have taken off the Coal-tax, 832,000*l.* and the tax on Candles, 500,000*l.*, and there was not a poor man in the country who would not have been benefitted by this arrangement, for coals and candles entered largely into every man's expenditure. The reduction of both would have amounted to 1,300,000*l.* —would have been attended with great benefit to the poorer classes—and would have left a surplus in the Treasury of 700,000*l.*, which with the improvement in our resources that might be expected in the ensuing year, and the increased use of other articles of consumption, would have been amply sufficient to meet the whole deficit occasioned by the reductions in taxation. Our expenditure required to be lessened; the Military, Naval, Ordnance, and Miscellaneous estimates amounted to 16,500,000*l*; — this was half a million more than in 1821 and 1822; but they ought to be reduced at least one million below that standard. A reduction of a million ought to be effected in the expense of the collection of the Revenue. We were called upon to carry into effect a more prompt and extensive degree of relief than that now offered. The Chancellor of the Exchequer had the means of affording it within his power if he chose to exercise them. He only regretted that the right hon. Gentleman, who had gone so far, and who was entitled to approbation for what he had done, had not reduced two or three taxes more, and trusted to the fair chances of the deficiency being supplied next year. He repeated, he regretted that the Government had not gone further in the way of diminution of expenditure and reduction of taxation. However, perhaps, the right hon. Gentleman had gone as far as he imagined he could with safety upon the present occasion; but he (Mr. Hume) looked forward to the prospect of much larger reductions, and trusted that even in the course of the present Session, the right hon. Gentleman might see the practicability of taking off two millions of taxation more.

Mr. *C. Barclay* rose to confirm the statement of the Chancellor of the Exchequer as to the saving to be effected to the public by the reduction of the Beer-tax. He was quite satisfied that not only would the country receive the benefit of a remission of 3,000,000*l.*, which was the amount of the tax, but that (as had been explained by the right hon. Gentleman) it would be benefitted to the amount of upwards of 4,000,000*l.* by the measure. He should take that opportunity to state, with respect to the revision of the licensing system, that the measure now proposed (with reference to the Beer-tax) had done away, in a great degree, with the objections which individuals in the trade had felt to it. From the examination that had taken place in the Committee, he was enabled to state, that it was the opinion of the dealers in the article, that if the duty on Beer were taken off, they would be greatly benefitted, in common with the public at large, and a revision of the licensing system might be advantageously effected. Limited as was his knowledge of the question, it was impossible for him to predict what would be the precise result of the repeal of the Beer-tax, and what the amount of benefit to the public; but he was disposed to think that the anticipations of the right hon. Gentleman would not be disappointed. He felt that this measure would place the whole of the community on an equal footing. Up to this time, two-thirds of the public paid an enormous duty on one of the necessaries of life, from which the remaining third was exempt. The effect of the removal of the duty would be to cause an increased consumption of malt liquor, and the demand for barley, which had been increasing for the last year or two, would be still greater,—a circumstance that could hardly fail to satisfy the country gentlemen. The brewers were ready, fairly and manfully, to meet the right hon. Gentleman's propositions, and they had not the least objection, as brewers, to have the trade thrown entirely open.

Mr. *Maberly* said, that the right hon. Gentleman had stated to the House that there had been a surplus revenue of 2,700,000*l.*, and that he would reduce it, by a repeal of taxes, to 2,000,000*l.*; and the question that remained was, whether he had applied himself to those taxes which it was most judicious to reduce. None certainly could be more beneficially reduced than the Beer duty. This was a wise measure—one of principle—for the Beer-tax was an unequal tax, it was an unjust tax, and therefore ought to be repealed. The next reduction was upon Leather—a tax which greatly enhanced the price of the article, and materially stood in the way of improvements in the trade. He then came to the question, whether in the subsequent year there would be the loss of revenue which the right hon. Gentleman had expected? The hon. Member for Callington seemed to think, that the Chancellor of the Exchequer was in error, in leaving only 2,000,000*l.* as a balance, for he apprehended that next year there would be no such balance, and that, consequently, public credit would be injured. In his opinion, there was no ground for this apprehension, and the hon. Member ought to have kept out of view all those arguments about a Sinking-fund, which, whatever weight might once have been given them, were now acknowledged to be fallacious. The right hon. Gentleman's balance of 2,000,000*l.* would be a much larger *bona fide* Sinking-fund than any which had been in existence during the fifteen years that the hon. Member had supported the fallacy of the Sinking-fund; and public credit would in future be higher than when that fallacy had been kept up. The right hon. Gentleman, he thought, was perfectly right in raising the duties upon Spirits, notwithstanding that this increase might have the effect of encouraging smuggling, with all its demoralizing effects; for the use of Spirits by the poor was still more demoralizing, and of the two evils the point was to choose the least. With reference to the four per cents, the Government would be wrong not to adopt such a measure at the present rate of interest; but the question was, whether they ought to expedite the business. If war were likely to disturb the country, it would not be fair to reduce the rates of interest; but in the absence of any such apprehension, it was perfectly fair. The right hon. Gentleman was entitled to guard himself against an unfavourable harvest; but he had not made a sufficient provision for the harvest being favourable. He was satisfied that the right hon. Gentleman's Budget was the best he had ever seen, for the right hon. Gentleman had travelled over the whole business of taxation upon principle, and his speech had conveyed to him, in very strong terms, a desire to look into every part of the expenditure during the recess, and to look into the superannuation, which of all things required the greatest attention upon the part of Government. The right hon. Gentleman had told the House to anticipate next year a reduction of estimates; but he thought that the right hon. Gentleman might have effected greater reductions in the present year. There was no pretence whatever to keep up 5,000 Marines, when it had been stated by competent authority, that 1,000 would be enough. A large proportion of the army might be reduced. With reference to the reduction of the debt, he would recommend to the Chancellor of the Exchequer to attempt the plan of Mr. Brickwood, for he was convinced that it was the best mode of reducing a debt that could be suggested. He was sorry to say that Gentlemen in that House would not vote for reductions, though they were always ready to vote for extravagant expenditure; and yet, until the estimates were reduced to a much lower scale, it was in vain to expect a larger reduction in the taxes.

Mr. *Bernal* could repose, he said, some confidence in the promises held out to the House by the right hon. Gentleman, because he had not, like his predecessors, attempted to mystify the subject, and he was not ashamed of acknowledging the situation of the country, when he held out the hope of affording it relief. He well knew that the right hon. Gentleman had a great many conflicting interests to satisfy, but considering all parts of the subject, he must be excused for saying, that he had expected that the right hon. Gentleman would have been able to afford some little relief to the most suffering of all interests—the West-India interests.

He did trust that the right hon. Gentleman would be able to relieve some of the burthens under which the colonial interests had so long suffered. With respect to the Spirit-duties, why could not the right hon. Gentleman place the British and the West-India Spirits on the same footing? The West-India interests were at the lowest ebb possible. It was true that the duty was to be raised on Irish and Scotch spirits from 2*s.* 10*d.* to 3*s.* a gallon, and the duty on English spirits from 7*s.* to 8*s.*; but why were they not all put upon a footing with British and West-Indian? 3*s.* per gallon was to be the duty upon Spirits in Scotland and Ireland, 8*s.* the duty on Spirits in England, whilst 8*s.* 6*d.* was the duty upon rum. This he thought was trenching upon justice. The West-India interests were entitled to a reduction of the duty upon sugar, but the Chancellor of the Exchequer had not alluded to the subject. This certainly was not the time to enter into any details concerning the British West-India interests, but the time would be soon afforded when he should have the opportunity of explaining to the House the state of the question, and he hoped to convince all who heard him that the amount of duty collected by the Government upon sugar and rum was enormous, and that at present, the state of property in the West-Indies was such that it was unable to pay the imposition, and to make any returns to the owners. If the present rate of duties were to continue the same for another year, the Revenue would suffer; for the estates, he was fully convinced, would be thrown out of cultivation. In the old colonies, such as Jamaica, it was impossible to carry on the cultivation much longer. In the new colonies where the soil was better, or less worked, it might be possible. He would make a statement to the House, which would show the necessity of the Government's attending to the subject. A West-India estate, producing one hundred and fifty hogsheads of sugar, and sixty puncheons of rum, which was the fair proportion, would pay, in duty to the Government, as he found, from calculations in his possession, 5,400*l.*; whilst the amount of profit derived by the proprietor, after all his outgoings, incidental to cultivation, would be only 183*l.* He would ask the Chancellor of the Exchequer if this were not a state of things demanding the attention of Government?

Mr. Alderman *Thompson* agreed with the hon. Member who had just sat down, that no interest required relief more than the West-India proprietors. However, he did not see how the Chancellor of the Exchequer could well carry reduction of taxation farther than he proposed at present, consistently with maintaining our existing establishments. He concurred with the hon. Member for Aberdeen in recommending to Government and the House to consider those taxes which pressed most heavily on the labouring, agricultural, and manufacturing classes. The time was arrived when we must alter our system of taxation; and he was glad to hear that the Government had not entirely lost sight of the possibility of doing so. He was aware that many objections were entertained against a Property-tax, but believed it would be soon thought that a tax upon capital was the only effectual way of meeting the emergency. The labouring classes were the great consumers, and we must enable them to consume more largely than they did at present. The reasons why they were not able to consume more at present were obvious, they were placed in competition with the cheap labour of foreign countries, with steam and machinery. Notwithstanding the ridicule attached to the declaration of an illustrious person in another place, he must say, he connected the pressure upon the working classes in a great degree with the improvements in machinery. He knew the value of machinery practically, and was satisfied that the more we applied it the more should we increase the wealth and resources of the country; but we ought to enable the labouring classes to compete with machinery, by finding them adequate employment. The Chancellor of the Exchequer expected a considerable increase to the Revenue, in consequence of a consolidation and equalization of the Stamp-acts. He trusted the right hon. Gentleman would be borne out in his anticipation. He might here allude to the stamp duties on policies of marine assurances. Upon an insurance which cost 5*s.*, say from London to Calais, there was paid to Government 2*s.* 6*d.* The same was the case as regarded insurances for Holland and other places; and the consequence of levying so disproportionate a duty upon such transactions was, to drive that branch of business out of the country. Houses for effecting insurances were established in France and the Netherlands, where the same advantages were attained on the way of security as here, and no tax was imposed upon the transaction. Suppose the premium on a policy of marine insurance were a guinea, a duty of 5*s*. was levied; but if a vessel were going into the South Seas for three years, and the premium amounted to fifteen guineas, the duty to Government was still the same (5*s*.) as on a guinea insurance. This was manifestly unfair, and he felt disappointed that the right hon. Gentleman had not mentioned the subject. Again, there was a duty of 200 per cent on policies of fire insurance; if this were reduced one-half, he was satisfied that the Revenue would not lose but be augmented by the change. With respect to the reduction of the four per cents, he agreed with the hon. Member for Callington, that in consequence of there appearing to be no Sinking-fund for 1831, the effect of the reduction would be, to a certain extent, marred. There was another point worthy of consideration. The leading powers of the continent were about reducing their debts: if we deferred till a later period the reduction of our four per cents, we should have a great flow of capital from foreign countries, and could reduce them with greater advantage in another year. The hon. Member concluded by expressing a hope, that Government would pay attention to the taxes which bore most heavily upon the productive classes.

Mr. *Huskisson* was not going into the subject of the state of the country at that moment, as there was a notice of motion for to-morrow which would afford a better opportunity for entering upon such a discussion, and he intended to avail himself of it. If he rose upon this occasion, it was because he could not deny himself the gratification of expressing his approbation of the statement made by his right hon. friend, the Chancellor of the Exchequer. He admitted, however, that the gratification which he felt at that statement was not wholly unalloyed by considerations such as those alluded to by the hon. Member for Callington. Not, however, that he thought it possible for any one to doubt, under whatever circumstances of trial or difficulty which might arise, that we should be enabled to maintain the public faith and the credit of the country untarnished. He thought, under all the existing circumstances, that the plan laid down by his right hon. friend was that most expedient for the country, and his statement of that evening was one which he, in common he was sure with the House at large, had heard with unmixed satisfaction. If there was any drawback on that satisfaction, it could be only a difference of opinion as to the articles which his right hon. friend had selected for a reduction of duty. He said reduction when he should have said abolition; for he was glad that his right hon. friend had resolved upon the total abolition, instead of a partial reduction, of the duties upon Beer and Leather, as otherwise the benefits of lessening the taxes on those articles would not be felt by the public. He agreed with the hon. Member for Callington as to the advantages which might arise from converting the present permanent four per cent annuities into five per cent, or perhaps something higher annuities, for a definite number of years, but he would reserve his opinion on the general merits of the hon. Member's proposition when the distress of the country, with a view to its adequate relief, was substantively before the House. With respect to what had been said about reducing the four per cents to three or three and a half per cent, he begged leave to say that he had more than once in that House advocated the principle of such a reduction, and had expressly stated, that Ministers would be guilty of a neglect of duty did they fail to take advantage of such a state of public credit as would enable them to effect a practicable diminution of the public burthens. He was sorry, however, to hear his right hon. friend associate the proposition in any way with the state of the foreign exchanges. The Chancellor of the Exchequer ought not to be regulated by exchanges depending on contingencies in contracting any loans necessary for the public service; in fact, he should not borrow from any other party, not even the Bank of England, than the public; rendering himself independent of the state of the exchange and of foreign markets. He trusted, that after all the sufferings of the country, in order to attain a solid improved currency, no measure would be sanctioned by the Government, the tendency of which would be to lock up capital in the coffers of the Bank of England, a result which would be consequent upon a reliance on foreign exchanges. With respect to what had been said about putting an end to our present Sinking-fund system altogether in 1831, he thought it right to say, that he was one of those who approved of the principles of a Sinking-fund, in fact, he thought that there should be always a *bona fide* surplus of income over expenditure applied to the reduction of the debt. The revenue of the country was collected from so many sources of a contingent nature, that it was impossible to count on it, and the expenditure being every year in exact proportion to each other; so that an actual annual surplus of income over expenditure was necessary, not only for the purpose of reducing the debt, but also to enable us to provide for any casual deficiencies in the Revenue which might arise. The present mode of employing the surplus revenue was the very best which could have been adopted under the existing circumstances of the country; and he should therefore wish to see it carried further into operation than it had been. He wished, indeed, that we had a sufficient surplus of income over expenditure to carry into effect on a large scale the proposal of the hon. Member, to which he had before alluded; for converting, he wished he could say 100 millions, of permanent annuities into life annuities, or annuities for a term of years. He thought such a measure would be the best and most efficacious mode of reducing the amount of the debt that could be acted upon consistently with the honour of the country. By such a mode our permanent change might be changed into annuities terminating in the course of thirty or forty years, which was nothing in the history of nations. There could be no difficulty in adopting such a plan, and he trusted the House and the Government would give it a fair consideration, with a view to its being practically acted upon with as little loss of time as possible. In his anxiety to see the amount of the debt reduced he would gladly encourage the passing of such a measure, while we possessed the means of effecting it advantageously for the public. But, as he had stated, he should deliver his opinion more fully on the subject when he explained his views of the present distress of the country, of its causes and its extent, which he thought had been much exaggerated, and of other modes than those mentioned by his right hon. friend that evening, of reducing the public expenditure with a view to remedy it.

Sir *C. Burrell* expressed himself dissatisfied with the reduction of the Beer-tax, which might benefit a few places but would give no general relief to the country. He considered that much more general benefit would accrue from a diminution of the duty on Malt, which would be equally an advantage to the agriculturist and the consumer of Beer.

Sir *T. Acland*, on the part of the Western Counties, and of himself, begged to express entire satisfaction at one portion of the relief granted. He was happy to think that the satisfaction which he saw sparkling in the countenances of all around him would be soon shared by a large and worthy part of the community. The reduction was one fraught with comfort and convenience to a numerous class, and would occasion but small loss to the Revenue. The tax was one which, from his own knowledge, he could state, had caused much inconvenience and vexation in the western counties, and he was heartily glad it was removed. He also approved of the selection of the Beer and Leather Duties for reduction. The first had pressed very heavily on the lower classes; and the second had been a tax of the most vexatious and oppressive nature. He knew an instance in which a very worthy man was brought within the power of the Excise regulations, and put to considerable expense and inconvenience, in consequence of two labourers of his having, without his knowledge, tanned for themselves two aprons, value one shilling. It had been observed, that when half this tax upon leather was taken off, little benefit had resulted from it. There was an old proverb, "you should do nothing by halves;" on the faith of which he would venture to hope, that though the first experiment had been unsuccessful, the total removal of the duties would be attended with the best results.

Lord *Milton* said, he agreed with the hon. Baronet, in thinking that the selection of the duties on Beer was not the most beneficial which could have been made. In his opinion, it would have been better to have reduced the duties on Malt; and that this would have been the most beneficial reduction for the land-owners and cultivators of the soil, no doubt could be entertained. The Beer-tax, it should be considered, was one affecting a particular class and particular districts. There were many districts (as for instance, the part of Yorkshire in which he resided) where the people brewed for themselves, and he thought that when Government gave up a tax for the benefit of the community, it was quite unfair that any geographical section should be deprived of the advantage. He believed, too, that the reduction of this Beer-tax would drive more people to the public-house, while the reduction of the duties on Malt would induce them to brew for themselves. With respect to the other tax, he meant that upon Leather, he agreed with hon. Members, it was well selected. He also concurred with what had fallen from the hon. Member for Abingdon, touching the four per cents; but he hoped no expedient would be resorted to for the purpose of raising the Stock so as to enable Government to effect their object. The fundholders were not a rich and overgorged class, as some had described them, with a view to inducing Government to commit the most disgraceful act ever contemplated in any nation. The paper produced by the hon. Member for Callington afforded abundant proof of this. They were, on the contrary, for the most part, persons who, after the labour of years, had succeeded in making some little capital, which they deposited there, to provide for the evening of their days.

Mr. *Liddel* objected to the additional duty on Whiskey. He thought it would hold out an inducement to illicit distillation in the Highlands and in Ireland. It would also encourage smuggling on the borders of England and Scotland. The Government could not lay an additional shilling duty on Corn-spirits in Ireland and Scotland, and leaving, as it did, a great difference between the duties levied in the different countries, it encouraged smuggling. If the additional duty on Spirits were necessary to prevent the people drinking so much, why should it not be extended to spirits made in Scotland?

Lord *Howick* was of the same opinion as the last speaker. He stated, that smuggled whiskey was consumed to a great amount in Northumberland and Cumberland. He thought it would be better to raise the duty in Scotland. This would, perhaps, increase in some degree illicit distillation in the Highlands, but the Revenue would still be collected in the Lowlands; so that on the whole, the mischief would not be so great as the increase of smuggling in the North of England. He contended, therefore, it would be more advantageous to leave the duty as it was in this country, and to add something to the duty in Scotland.

The *Chancellor of the Exchequer* begged leave to say one word in explanation of a point which had been referred to by the hon. Member for Callington, and subsequently by the right hon. Member for Liverpool. The hon. Member seemed to intimate to the House, that he (the Chancellor of the Exchequer) contemplated that in 1831 he should have no surplus of income over expenditure. He must have expressed himself very differently to what he had intended, if he had said any thing to warrant such an inference. His line of argument was, that though he could not predict that that surplus would be 3,000,000*l.*, he still thought he might rationally look to—when he took the proposed reduction of the four per cents, and the other measures of economy of the Government, into account—a *bona fide* surplus of at least 1,500,000*l.*—a sum which a good harvest and improved circumstances of the country would raise still higher. He had taken particular pains to impress this view on the minds of hon. Members, and regretted that a contrary impression had been made on the hon. Member for Callington, and perhaps, on the House at large. He hoped, however, that the House was then disabused of its misconception, and that he had set it right. With respect to what had fallen from the noble Lord who spoke last, he begged leave to say, that he agreed with that noble Lord, that the subject of duty on spirit, whether with a view to its reduction or increase, was one beset with difficulties. He admitted that it was objectionable in principle that there should be one duty in one country or county, and another in one immediately adjoining it; that this difference of duty opened the door to smuggling and other frauds on the Revenue, but he contended, that he brought a new enemy, a third antagonist, into the field against those evils, in abolishing the duty on Beer, a beverage which he confidently hoped would, in time, expel ardent spirits from the use of the industrious and poor classes, and with it, those lawless habits which an appetite for it generated. With respect to the proposal of somewhat equalizing the duties on Scotch whiskey in the two countries, he was willing to admit that, so far as finance was concerned, it would be a most desirable measure; but from the facilities which the north of Scotland afforded for smuggling, and illicitly preparing that spirit, and the taste and habit of the Highlander, it was deemed expedient to adopt the present scale of duty.

Mr. *Baring* was sorry if he had misconceived the expression of the right hon. Gentleman to the degree he had stated, and should feel much obliged to him, as he was sure would the House at large, if he would show, by way of figures, how far he was misrepresented, and how far he should be borne out in his then explanation of the drift of his meaning. Did the right hon. Gentleman found his anticipation of the amount, 1,500,000*l.* of his surplus in 1831, on the probable revenue of 1830? If not, what were the data of his calculations? The right hon. Gentleman said, he looked forward to the improved circumstances of the country, particularly to the beneficial effects of a good harvest; but the right hon. Gentleman strangely forgot that a good harvest, and that in the degree of its goodness, would sweep away all the revenue which he expected to derive from the importation of foreign corn, which amounted this year to 800,000*l.*

The *Chancellor of the Exchequer* said, the hon. Gentleman was putting the matter in a form in which it was not fair to represent it to the House. He only chose to take the figures on one side, while he forbade him to take those on the other. The Estimate of the Revenue for 1831 was a matter of fair calculation, and it might be expected would yield as much, or more, than that of preceding years.

Mr. *D. W. Harvey* begged leave, as one who was, in the best sense of the term, a representative of the people, to express on their part his satisfaction at the proposed abolition of duty on three of the articles of life which were chiefly consumed by the industrious poor. He could not augur the extensive benefits which some hon. Members seemed to expect would follow from those reductions, nor from the giving up 3,000,000*l.* of taxes, certainly a large concession to public opinion, which the right hon. Chancellor of the Exchequer had boasted about, but still he received them with applause as an index of a better system of the public expenditure. He could not, for example, admit that the reduction of the tax on Beer would increase the growth of malt and hops, and therefore, could not approve of a reduction which might tend, perhaps, to deteriorate the quality of beer by increasing its quantity, without a correspondent increase of the materials. The only way in which an increase of those articles could be effected was, by a reduction of the duty on them. But little good would be effected by what Ministers proposed, and little would be done to ameliorate the condition of the people of this country, unless a free trade were allowed in corn. He gave Ministers every credit for the measure which they proposed for the reduction of the four per cents, nor did he suppose that any intention existed on their part to depart from the terms of the contract with the fund-holder. The fund-holder here, beside, had his remedy, for it was open to him to sell out if he felt any objection to the proposed arrangement; but he thought that the terms were rather hard, as regarded the public, for the public would be obliged, under the present circumstances, to pay 100*l.* for only 60*l.* which it had originally borrowed. In private concerns, if a man borrowed 1,000*l.* upon an engagement to pay afterwards, whenever called upon by the lender, 2,000*l.* he was sure that the courts of equity in this country would relieve that individual from such a contract, on the ground of its being usurious, and he ought to be relieved from it. He was surprised that Ministers endeavoured to keep up the price of the Stocks, they ought rather to endeavour to lower it, if they could; for it was surely more advantageous to purchase an annuity of 3*l.* for 70*l.* than for 100*l.* The truth was, that all our loans had been contracted on the most injurious terms. For the 3*l.* a-year we bound ourselves to pay for ever, we had not received more than 60*l.*, and now we were, according to our engagements, redeeming that annuity by paying 100*l.* Such a transaction was any thing but honest, and had it taken place between individuals, would have been held void at law. He thought that, in order to afford substantial relief to the country, the reduction of taxation ought to be carried to 10,000,000*l.* or 12,000,000*l.*, and an equitable property-tax laid on to meet whatever deficiency such a reduction might occasion. He gave Ministers every credit for economy, but their disposition was not permitted to go in that way farther than theory, for in every step they were met by a counteracting influence in Parliament, which was both difficult to define, and impossible to control.

The Resolutions were then put, and agreed to; and the House having resumed the Report was ordered to be received the next day.

EAST RETFORD.] Mr. *N. Calvert* moved the Order of the Day for the third reading of the East Retford Disfranchisement Bill.

Mr. *Hobhouse* said, that he should take the sense of the House upon the question whether it was fit that such a deception should be practised as this Bill endeavoured to accomplish. He moved, as an Amendment, that the Bill be read a third time on this day six months.

Mr. *Hume* said, that he should vote against the Bill.

Mr. Alderman *Waithman* gave notice, as he saw the Attorney General in his place, that, on a future day, he would move for copies of the Judge's Notes, and of the indictment, on a trial for perjury and bribery at the election for Stockbridge.

Sir *R. Wilson* thought half a loaf better than no bread, and therefore should support the Bill by his vote, as he could obtain nothing more.

Mr. *Tennyson* reminded the honourable and gallant Member for Southwark, that if this Bill were defeated another trial might yet be made to transfer the franchise to Birmingham.

The House then divided. For the Amendment 83; Against it 164; Majority, 81.

List of the Minority.

Althorp, Lord
Blake, Sir F.
Brownlow, C.
Buxton, T. F.
Bernal, R.
Baring, A.
Baring, B.
Batley, C. H.
Burdett, Sir F.
Clive, E.
Calvert, C.
Cholmeley, M.
Clifton, Lord
Cole, Sir C.
Cavendish, W.
Cavendish, C.
Cradock, Colonel
Davies, Colonel
Duncombe, T.
Dundas, hon. T.
Dundas Sir R.
Denison, W. J.
Dawson, A.
Ebrington, Lord
Fazakerley, J. N.
Fyler, T. B.
Fergusson, C.
Ferguson, Sir R.
Fortescue, hon. G.
Greene, T. W.
Howick, Viscount
Honywood, W. P.
Jephson, C. D. O.
Kekewich, S. T.
Knight, R.
Kemp, T. R.
Lamb, hon. G.
Lambert, Colonel
Labouchere, H.
Langston, J. R.
Lester, B.
Lloyd, Sir C.
Martin, J.
Marshall, W.
Maberley, J.
Macdonald, Sir J.
Maitland, Lord
Marjoribanks, S.
Monck, J. B.
Morpeth, Viscount
Nugent, Lord
O'Connell, D.
Palmer, C. F.
Poyntz, W. J.
Pusey, P.
Pendarvis, E. W.
Protheroe, E. E.
Rice, T. S.
Robinson, G. R.
Robinson, Sir G.
Robarts, A. W.
Rumbold, Sir E.
Sefton, Lord
Stanley, E.
Sykes, D.
Smith, V.
Tennyson, C.
Thomson, C. P.
Uxbridge, Earl of
Ward, J.
Warburton, H.
Webb, Colonel
Wells, J.
Wilbraham, G.
Whitbread, S.
Wood, C.
Wood, Alderman
Wrottesley, Sir J.
Winnington, Sir T.
Whitmore, W.

TELLERS.

Hobhouse, J. C.
Hume, J.

Mr. *O'Connell*, on the question that the Bill do pass, rose, pursuant to the notice he had given, to move an additional clause to the Bill. His object, he said, was to secure to the Hundred of Bassetlaw the power to vote for Representatives by ballot, and he felt so strongly the vast importance and inherent value of the plan, that he feared its loss would be attributable chiefly to the want of talent in its advocate. Whatever might be the fate of his Amendment this night, he had so much reliance on the plain common sense and strong understanding of the people of this country, that he was satisfied every fresh discussion would be followed by fresh proselytes, until at length the conviction out of doors would make its due impression within. The avowed ostensible object of this Bill was to prevent bribery and corruption in the borough of East Retford, and the way in which that was proposed to be effected was, by increasing the number of voters. He did not see how such a remedy would cure the acknowledged evil which existed in this instance, and if such a remedy were efficient, he should certainly like to see the standard ascertained as to the given number of voters which would prevent bribery and corruption in boroughs of this description. Now he (Mr. O'Connell) would propose a really efficient measure for preventing bribery and corruption for the future in this borough. He should propose that the poll be taken by ballot, and he had a clause, besides, specifying the manner in which he should propose to have the ballot taken. Two things were necessary—first, to satisfy the House that the principle was good, and next to convince it that the details for carrying that principle into effect were without objection. It would be idle to enter into the details with those who would not concede the principle; but to those who granted the last, he should be most ready to give way as to the first, and to adopt any of their useful suggestions. The first question was, whether the vote by ballot was likely to accomplish the object of the Bill before the House, that object being the prevention of bribery and corruption? A man who gave his suffrage by ballot would bestow it according to the dictates of his honest judgment, and while it left just and proper influence in operation, it rendered all other influence impossible. If an elector gave his vote in gratitude to a good landlord, or out of regard to a friend or relative, that might be called a just and proper influence, and that was untouched and unbroken by the plan now proposed. Upon this position he (Mr. O'Connell) placed his foot, and defied any man by argument to remove him from it —that election by ballot left a man as free to vote honestly as if he gave his suffrage openly at the hustings. He also contended, with equal confidence, that election by ballot freed the voter also from corrupt and improper influence. Where detection was impossible, terror of a landlord, for instance, could have no effect; and corruption could not operate, because no man would be so silly as to give a bribe where he could have no security that it would be earned. If, however, a bribe were given, the giver being a fool for his pains, no man would be so ready to break faith as one who would accept it. These were great advantages; and if the House really wished to prevent bribery and corruption at East Retford, here the effectual means were offered to its consideration and acceptance. Here they had an opportunity of making an experiment, and might bring into immediate play a principle of considerable importance, and try whether it were well founded or not. By so doing, they might not only see whether that principle could be made applicable to this particular borough, but whether the machinery worked well, and could be adopted in other cases. Surely he should not be told that ballot would not be a complete preventative of bribery and corruption. Under the present system men knew, when they had given bribes, whether they got value for their money; but under the system of ballot, the facilities for acquiring that knowledge would be so diminished, that they would hesitate before they offered bribes to others over whose votes they could possess no control. He did not mean that the ballot should take place in the first instance, for he would still retain the nomination and the open voting by show of hands; but if a poll were demanded, then he thought balloting ought to commence. By preserving these parts of the old system, he should not take away from the candidates the advantage of meeting the voters, nor from the voters that of seeing the men who were candidates to represent them; nor should he put an end to that opportunity which an election now presented, of demanding from the candidates pledges of their future conduct, and means by which their subsequent demeanour in that House might be compared with their previous professions. It was said by some persons, that the mode of voting by ballot was a sneaking thing that ought to be avoided. Why, who was guilty of sneaking? Not the man who, by the means of vote by ballot, voted as he thought fit, for he performed his duty, but he who was prevented from performing that duty by a system of open voting which made him the creature of another man's will, in opposition to his own, and by which he was compelled to be at once a hypocrite and a slave. On him, and not on the other, must the charge of hypocrisy rest. The House were about to continue the elective franchise in a place where their own votes described it to have been grossly abused. What, then, was the process by which that abuse was to be prevented in future? Why, by giving the voter the means of voting in future as he pleased. He had heard it said in that House, that it was the right of the landlord to command the vote of his tenant. If that were so, the tenant was but a slave, and he might as well have his face blacked at once and be sent to our colonies, to bear the name of slave, which was his condition if he could be compelled to vote for a person he did not like. It had been said, that if there was influence on the one hand, there were terror, and the force of violence, and the fear of mobs on the other. Supposing that to be true, it shewed the excellence of the ballot; it was a remedy for the latter as well as for the former; and while it would prevent the exercise of the influence of the superior, it would at the same time destroy the terror of the mob, who would have no means of knowing how the secret vote had been given. These were the advantages possessed by the plan he proposed [*Question was here called*]. He knew the lateness of the hour; and he knew, too, that this subject was now brought forward by an insignificant individual, who was now, and was ever likely to remain, unconnected with party; and who was besides a believer in the excellence of Radical Reform. Under these circumstances, it was perhaps little wonderful that the House should be weary of the discussion; but he was in England, in a country which was said to be a land of common sense, and he now proposed a plan which had plain common sense to recommend it. His plan would do away with undue influence, with direct corruption and with all those evils of which complaint was now so often made. It was true, that he who gave money for his seat in that House, might be a philanthropist—he might be a man of most excellent character; there had been such, but they were not always so; and it often happened that they purchased their seats for the advantage of themselves or their families. He had the honour to be the representative of an uncorrupted and unintimidated population — of a population that had fearlessly given him their disinterested votes. He did not, therefore, ask the House to adopt the plan of ballot from any personal experience of its absolute necessity. But still he knew how often votes had been influenced in other places, and he called on all the Members of that House to support him, if they wished, as they said they did, that elections should be conducted fairly and incorruptly. He would subjoin the clause he meant to move to that which related to the duties of the returning officer. The hon. and learned Member moved the following clause:—"And be it further enacted, that such proper officer, to whom any writ shall be directed for electing a Burgess for the said Borough, in case the said election shall not be determined on a view of the votes of the freemen and others claiming a right to vote at the said election, but that a poll shall be required, shall take such poll by ballot in the way hereinafter mentioned."

Mr. *Hume* said, that he seconded the Motion with great pleasure, because no questions had occupied more time, nor any more uselessly, than those in which the House endeavoured to punish individuals for corrupt practices at elections. He therefore conceived that any mode which enabled a man to give a vote free from the influence of a superior, or from direct bribery, was very desirable. He thought the plan now proposed would be more likely than any other to effect what he had heard Members in that House again and again desire to see, namely, every voter able to vote as he pleased. It would effect that which repeated Acts of Parliament had been unequal to achieve. Since he had had a seat in that House, he had seen frequent instances of vote by ballot, and what was that done for, except to put an end to influence? but unfortunately from the state of that House it did not answer the end proposed; for lists were prepared and put into the hands of individuals who were obliged to give the names on those lists as of their own choice. In large bodies of voters there would be a different result. The plan of voting by ballot was now almost universal. In the United States 250,000 people voted by ballot, without the slightest confusion, and every officer in the State was elected by ballot. It was said that ballot was a sneaking mode of expressing a man's opinions; but he would ask, whether there was anything in the character of the people of the United States that shewed ballot to be the proof of a sneaking or cowardly spirit? He would say exactly the reverse. Neither did he think that the charge of hypocrisy could be truly brought against this mode of voting, for in that respect the other was much worse. The practice of voting by ballot was adopted by all clubs. If what had been stated by the opponents of the measure was true, it would be more manly in the clubs to vote openly, but they did not; and it should be recollected that the members of the clubs were gentlemen, while electors, in general, were in a different situation, and were by no means so independent in their circumstances. No member of these clubs had a right to say that the mode of voting by ballot was hypocritical or improper; for he did that which men in much humbler situations ought to be allowed to do, but which he refused them the liberty of doing, upon a pretence of impropriety that was much more applicable to himself. Another excellent advantage in the plan was, that it would put an end to those scenes of riot and disorder which now disgraced elections. Those who really wished to put an end to these scenes would vote for the plan now proposed. On these grounds, he considered the plan beneficial for the interests of the community, and he could not think that any hon. Member who looked at what had taken place in France would hesitate in believing in the efficacy of the measure.

Sir *R. Wilson* observed, that every one who looked to the signs of the times must see that the cause of reform had assumed a different aspect from heretofore. The opinion that reform was necessary was no longer a clamour occasioned by temporary distress—it was the settled conviction of intelligent men. The subject deserved, therefore, to be fairly examined by the House. He gave the hon. and learned Member for Clare full credit for sincerity in bringing forward his proposition; and he hoped that hon. Member would give him the same credit for sincere motives in opposing it. The proposition was of a most extensive character. The hon. and learned Member admitted that it was an innovation, and intended as an initiative of a total change in the elective franchise: but there was something in the concealment and muffling up, which the system of ballot proposed, repulsive to his feelings, contrary to the English character, and to that publicity which every elector ought to be desirous of seeking. It was a system suited to a peculiar class of people, and to juniors in the representative system; and an experiment to try how far a nation was adapted to receive such a system. We talked of the march of intellect, but this was a retrograde march,—we were going backward; and any foreigner who heard such a proposition would consider that its adoption would be a proof of our degradation. The circumstances of France and of America were totally different from ours; but he had conversed with North Americans, persons whose opinions were entitled to the highest respect, who declared that the ballot system was productive of so many evils in their country, that they wished it could be got rid of, and *viva voce* voting adopted in its stead. He was a representative of 5,000 or 6,000 voters, who came openly and boldly, and good humouredly, to the hustings to give their vote, and he never would give a vote which would deprive them of the pleasure they felt at publicly displayin gtheir sentiments. The hon. and learned Gentleman should have his vote for any measure of reform which would not be inconsistent with the constitution.

Mr. *Warburton* observed, that all political measures should lead to good Government, and the question was, whether this measure would or would not lead to such an object. If he had any objection to the adoption of the ballot in Bassetlaw, it was because the number of voters was not so great as might be wished; for the fittest places for this measure were those where there were great numbers of voters. There was no place where intimidation and influence were carried to a greater pitch than in London; and there the ballot would be beneficial. There were some places, therefore, where the ballot would be proper,—others where it would be improper. He meant, however, to vote for the Motion of the hon. Member for Clare. ["*Question*," "*Question*."]

Mr. *D. W. Harvey* said, he could assure the tempestuous part of the House, that he would agitate them but for a very few moments. His opinion was generally in favour of reform; and before he voted, he wished to explain the reasons why he did not support the Motion of the hon. and learned Member for Clare. He had listened to the hon. Member, and understood the object of his proposition to be, to check and stifle corruption in individuals. Then was this the best mode? He thought not. He thought that the best and only effectual mode of preventing corruption was, to place the representative in the same situation in that House as the electors at the hustings, and oblige Members to swear at the bar that they had not offered a bribe. This was the only effectual remedy; though he was the only Member the other night who divided with the hon. Member for Beverley (Mr. Stewart) on a Motion for this object. The hon. and learned Member had said that the ballot would check hypocrisy and stifle corruption. Suppose it did, would it not destroy the influence of example? And he should like to know if the House would have had the pleasure of listening to the hon. and learned Member for Clare, or if the hon. and learned Member would have had the opportunity of detailing his proposition in the House, but for the authoritative influence of example? He must withhold his support from the Motion, because it was an adjunct to another—universal suffrage. Universal suffrage and annual Parliaments were the two prominent features of the radical creed. He knew the people of this country were generally in favour of reform; but not such reform as was contained in those propositions. If the Constitution were to be changed,—all titles and hereditary rank abolished, the monarchy itself to be done away,—he would then vote for universal suffrage; but till then he should be content with that reform which tended to restore the representation to its constitutional purity.

Mr. *Jephson* said, that he should vote for the Motion of his hon. and learned friend the Member for Clare, but for reasons diametrically opposite to those he had assigned.

Mr. *W. Smith* said, he should vote for the election by ballot, as it appeared to him to be the only course by which they could secure free election in the borough of East Retford, now that it was joined with the hundred of Bassetlaw.

The House then divided on the question that Mr. O'Connell's clause be brought up, when there appeared—

Ayes 21, Noes 179; majority against the introduction of ballot 158.—Bill passed.

List of the Minority.

Althorp, Lord
Blandford, Lord
Burdett, Sir F.
Cholmeley, M.
Davies, Colonel
Dawson, A.
Ebrington, Lord
Gordon, R.
Hobhouse, J. C.
Jephson, C. D. O.
Maberly, J.
Marshall, W.
Monck, J. B.
Nugent, Lord
Palmer, C. F.
Protheroe, E.
Smith, W.
Waithman, Alderman
Warburton, H.
Wells, J.
Whitbread, S.

Tellers.
O'Connell, D.
Hume, J.

POOR LAWS.] Mr. *Slaney* moved the second reading of the Poor Law Amendment bill.

Mr. *Benett* thought that the present was not a fit time for interfering with the relief which was legally administered to the poor. He would therefore suggest, that the Bill proposed should be withdrawn for at least another year. At all events, no person could deem it expedient to enter on a discussion of the subject at so unseasonable an hour.

Lord *Althorp* recommended that the Bill should be then read a second time, *pro forma*, with the understanding that its principle should be discussed when the Speaker was about to leave the Chair, in order that the House might resolve itself into committee.

Bill read a second time.

HAYMARKET.—ST. JAMES'S PARK.] Lord *Lowther* moved the second reading of the Haymarket Removal Bill, on which

Mr. *W. Smith* remarked, that no opposition on any side would be offered to the removal of the market; but he apprehended that the place to which it was intended to remove it would be found inconvenient to numbers, and the Bill might, on that account, create some dissatisfaction.

Mr. *Hobhouse* said, he should take the present opportunity to ask two questions of the noble Lord who presided over the department of Woods and Forests. The first related to the proposed carriage-road which it was expected would have been opened in St. James's Park from Pimlico to Storey's Gate. The improvement was generally understood to have been agreed upon and arranged, when the ground was taken in for the erection of the new palace; but there was at present no appearance of any preparation for opening such a road. He therefore wished to know, whether the design had been abandoned. The second question was on a subject no less interesting to many of his constituents, and likewise related to another improvement in the same Park, which there was hitherto no prospect of being carried into effect. It had been understood, that after the pulling down of Carlton-house a communication would have been made from Waterloo Place into St. James's Park by means of two openings through the newly-erected terrace; but if he might judge from the progress which the work had already made towards completion, that expectation was not destined to be realized. He wished, however, to learn from the noble Lord whether it were determined that any such openings should be made, Lord *Lowther* regretted he could not gratify the hon. Member by his answer concerning the passage which he had just mentioned, as no public communication into the Park would be made through the terrace at the end of Waterloo Place; nor would such a measure be authorized by the Minutes already submitted to the House on the 18th of January 1827. With respect to the road alluded to, he was happy to inform the hon. Gentleman that it would be opened very soon, and he would have the satisfaction, in a very short time, of seeing it ready for the accommodation of the inhabitants.

Bill read a second time.

HOUSE OF LORDS.

Tuesday, March 16, 1830.

MINUTES.] The Twelve Millions Exchequer Bills' Bill and the Transfer in Aids' Bill were read a third time and passed. The Mutiny Bills, and Personal Estates Duties' Bill, were brought up from the Commons by Sir ALEXANDER GRANT and others.—Read a first time.

Petitions were presented against the East India Company's Charter:—by the Duke of GORDON, from the Merchants, Manufacturers, and other Inhabitants of Aberdeen:—by Lord WHARNCLIFFE, from Beeston and Churwell in Yorkshire. Complaining of Distress and praying for relief:—by the Earl of LIMERICK, from the Weavers of Limerick:—by Earl RADNOR, from Dunsley (Gloucestershire), and from certain Merchants, Manufacturers, and Tradesmen of London:—by Earl STANHOPE, from the Hundred of Launditch, Norfolk. Against the Bread and Beer Tax:—by Lord KING, from a district in Gloucestershire. Against the extension of Poor-laws to Ireland:—by the Earl of GLENGALL from a place in Cavan. Against the Truck System:—by Lord CALTHORPE, from the inhabitants of Darlaston; and against the Punishment of Death for Forgery:—by Earl BATHURST, from Cirencester.

COAL TAX.] Lord *Wharncliffe*, in presenting a Petition from the Dyers and Manufacturers of Norwich against the Tax on Sea-borne Coals, said, that this was a most unjust tax, and when so many taxes were taken off it was most unfortunate that this was not among the number. It was a direct tax on productive labour, and fell particularly heavy on the petitioners, as coals were essential to the use of the machinery by which their trade was carried on. To shew their Lordships the effects of this tax he would mention one curious fact. The people of Norwich were actually obliged to send their wool to Yorkshire to be spun, and after being spun, it was sent back to Norwich to be manufactured into camlets and other stuffs. This was entirely owing to the cheapness of fuel in Yorkshire, which enabled the people there to apply the steam-engine to the purpose of spinning. Coals were also a necessary of life among all classes, and the tax fell particularly heavy on the poor. In the third place, it was a most partial tax, and especially burthensome to those who lived on the sea coast, and on those parts of the country which were farthest from the coal districts, and where coals, independently of the tax, must be very dear. The tax was, besides, most enormous in its amount, as compared with the price of the article at the mouth of the pit. It increased the price three-fold, and possessed all the evil qualities of the worst tax without any redeeming virtues. He was himself a coal-proprietor, but he thought the subject was, on every account, one which loudly called for attention. Petition referred to the Coal Committee above stairs.

IRISH POOR LAWS.] Earl *Darnley* rose, according to notice, to call the attention of their Lordships, as he had frequently done before, to the most important subject of the adoption of a system of Poor-laws in Ireland. The poor in England, it was well known, were entitled to relief, and he would certainly recommend that some law should be adopted to afford a compulsory relief to the sick, the aged, and the infirm in Ireland. He saw that his noble friend (the Earl of Limerick) on the other side was already prepared to take the alarm, and to give his decided opposition to any project of the kind, as he had done before, when he took occasion to call the attention of their Lordships to this subject. He must admit, that on that occasion, his proposition was not particularly well received. But since that time, a considerable change had taken place in public opinion with respect to the Poor-laws; and political economists in England, Scotland, and Ireland, as well as others, had come over to his opinion. He was far, however, from meaning to advocate the introduction into Ireland of the same system of Poor-laws as prevailed in England; but when he could prove, as he had offered to do on a former occasion, that people in Ireland had died of want in the streets and highways, it was high time to adopt some method of compulsory relief for the aged, the sick, and the helpless. How far the compulsory relief should go, he was not then prepared to say. It might, perhaps, be asked, why he did not move for a Committee of Inquiry on the subject, as had been done in the House of Commons. But he could add but little information to what their Lordships already had on the subject, and particularly those who represented the Peerage of Ireland. These representatives were much more able to afford information to their Lordships than he was. What he was most anxious for was, to learn whether the noble Duke at the head of the Administration had had time to turn his attention to this most important subject; and whether any measures were in contemplation to be brought forward during the present Session for the relief of the Irish poor? He did not think it expedient at present to move for a committee; but in case the Committee of the House of Commons should not bring forward the requisite information on the subject, he should feel himself at liberty, at any time, to move for a committee of that House, or take such other steps as he might think likely to further his object. At present, many noble Lords who would be the most useful members of such a committee were employed on other committees, and, in the meantime, he should content himself with asking, if the noble Duke would state what measures the Ministry had in view for the relief of the Irish poor.

The Duke of *Wellington*, in compliance with the desire of the noble Earl, stated that the Ministers had it not in contemplation to introduce at present anything like a general system of Poor-laws into Ireland. But at the same time he had to state to their Lordships that the state of Ireland had engaged the particular attention of his Majesty's Government, and several measures were in contemplation, which either directly or indirectly had for their object, and he trusted would have the effect, of affording relief to the aged and infirm, and the sick, and of giving work to the able-bodied poor. In the first place, there was a measure for the relief of the labouring poor, by having them employed by the Grand Juries. Again, there was a measure for the care of natural children, although that was one which would require a great deal of revision and caution before it was passed into a law. Another measure went to provide the City of Dublin with the means of creating an hospital for the distressed, in the same manner as means were provided for that object in the counties in Ireland, by the 58th of the late King. The state of Ireland most certainly required the most attentive consideration of his Majesty's Ministers, and of Parliament, and he hoped the subject would meet with that attention which its importance deserved.

The Earl of *Limerick* said, that as his noble friend opposite had not made any motion, nor proposed any specific measure, he would not at present waste their Lordships' time by entering at length into the discussion. His noble friend had alluded to the information which the Representatives of the Irish Peerage might give the House on this subject. As for himself, labouring as he was under severe indisposition, he could not pretend to give their Lordships much information, but any that he could give would not be in favour of the establishment of the Poor-laws in Ireland. His noble friend had truly stated that he had started the subject some years ago in this House, on which occasion he was supported by the petition of one man, who, having nothing else to do, thought proper to turn his attention to the state of Ireland; and he recollected that the petition was received with a loud laugh. But now his noble friend said, that the political economists and others had come over to his opinion. This was owing to the march of intellect, he supposed; but neither by march of intellect, nor by political economists, nor by any other influence, would he be persuaded to support any wild schemes of innovation. There were too many of them afloat already; and whether the line of conduct which he should feel it his duty to pursue should be palateable or unpalateable, he would oppose them. If his noble friend had proposed to appoint a committee, he should certainly have opposed the motion; for if that course were adopted, it would excite undue expectations on the one hand, and great alarm on the other. It would be a most alarming step to the gentlemen of landed property in Ireland. Their Lordships had only to look at the effects of the Poor-laws in some parts of England to form some idea of what would be the consequences of the system in Ireland. He particularly alluded to the county of Buckingham, where the Poor-rates had reached to the exorbitant height of 20*s.* in the pound, and where the system was most oppressive to the property of the place, without affording adequate relief to the indigent and the helpless. Such was the effect in England, where the system had been tried, and where eight millions of taxation were expended on it. His noble friend would, no doubt, limit the relief, according to the Act of Elizabeth, to the lame, the blind, and the impotent, but the evils which had been engrafted on that statute in England should make their Lordships cautious how they extended its principle to Ireland. That country was at present fast advancing in agriculture and trade, and in the accumulation of capital; but if the system of the Poor-laws was introduced there, every thing would tumble down, and leave all on the same hopeless level of poverty.

The Earl of *Malmesbury* was desirous to say a few words on the subject, which he considered as one of considerable importance. His noble friend near him (the Earl of Limerick) had said, that the appointment of a Committee of Inquiry would have been attended with mischievous effects, by exciting unreasonable expectations on one hand, and creating great alarm on the other. But if so, the mischief was already done; for the appointment of the committee by the other House would have the same effect. He really thought that his noble friend should have moved for a committee. He did not think that it was always the best way for their Lordships to take their information from the other House, and sometimes the information could not be had in time. For instance, when the New Police measure came before the House—a most important measure, even in a Constitutional point of view, but a good one as it had turned out—he had moved that a message should be sent to the Commons to desire that they would send up the evidence taken on the subject before their Committee, but it did not come till the second reading of the Bill. His noble friend had said that there were other committees, particularly the East-India Committee, now sitting, which occupied the attention of many of their Lordships. But there were surely sufficient numbers among their Lordships for a Committee on this subject also. And if it should be desirable that those who sat on the East-India Committee should sit on this Committee also, why should they not sit on alternate days. He had no doubt but the Members of the Committee in the other House would do their duty, but at the same time he would recommend a committee of this House also; and it ought to be remembered, that their Lordships had the great advantage of examining on oath. There was one point which had not yet been touched upon, and that was the great expense in several parts of England of passing Irishmen to the coast, and sending them to their own country. There was one county in the West of England in which thousands of Irishmen were passed in this manner. The expenses of this mode of passing English paupers were repaid by their places of settlement, but there was no fund for repayment in Ireland; and yet there was no reason why the Irish landlords should not reciprocally pay that expense as well as the English landlords. That was a point which was well deserving of investigation. He did not mean to say that the Poor-laws should be established in the same shape as they were established in England, particularly as to the mode of the appointments, and undue assessments. But the Poor-law system, abstractedly considered, was a good one. It was necessary that there should be some mode of providing relief for the aged, the sick, and the helpless. No country could be called a civilized one which had not some such institution. But the vice of the system in England was in its administration. The thing itself was good; it was the abuse which was bad. He hoped a committee would be appointed; and that the East-India committee might sit on alternate days, as had been done by the Lunatic and Wool Committees.

The Earl of *Limerick* said, he would tell the noble Earl why the committee appointed by the other House would not give rise to the mischiefs which he apprehended from the appointment of a committee of their Lordships on the same subject, if it took place at the suggestion of the noble Earl. The committee of the other House was moved for by a near relative of his, whose views on this subject were too well known, and too clearly stated, to be misunderstood, or to cause apprehension. As to the advantage of examining upon oath, on such a subject, he really did not see it, because an opinion could not be increased in value by the sanction of an oath. It might prove the sincerity, but could not prove the correctness, of the opinion. For instance, in the case of Irish vagrants, and the importation of black cattle, both of which had been complained of as hardships, one person had proposed that gaols should be built to confine the vagrants in, and another had proposed that a law should be passed prohibiting the importation of Irish vagrants and Irish bulls. (This ingenious person meant cattle of course, and not those slips of the tongue which were peculiar to Ireland, and known by the appellation of "bulls.") Now would such recommendations as these have been at all wiser, if they had been made on oath?

The Earl of *Malmesbury* did not mean to flatter the wit of his noble friend, but certainly passing these Irish travelling gentlemen was a heavy expense, and the Irish landlords should defray it.

The Duke of *Buckingham* said, that nothing could be more satisfactory than what had fallen from the noble Duke (Wellington) on this subject. He was glad that the laws relative to grand-juries in Ireland were to be amended; for he would venture to say, that under the present system, sources of more iniquitous jobs than the means of employing the poor by the grand-juries were no where to be met with. With respect to the introduction of the English system of Poor-laws in Ireland, he wished to express no opinion; but it seemed as if some change were necessary. Whenever a noble Lord or hon. Gentleman thought he had discovered a grievance in the administration of the Poor-laws, he immediately proposed to introduce a new law to be added to the heap of regulations already in existence, which was but too large and complicated without further additions. No necessity whatever had been made out for an inquiry before a committee of their Lordships' House, or for a new law on the subject. He spoke this of the Poor-laws generally. In the county with which he was more intimately connected, there were many defects in the operation of the Poor-laws, and much pressure was occasioned by them, principally owing to a mistaken administration of the present law. By recurring to the original principles of the law of Elizabeth, Poor-rates might be made, not the reward of idleness, but the safe-guard of illness, age, and infancy. We should not then be aiding those who preferred doing nothing, and receiving a small pittance from the parish, to working in order to obtain the full wages of labour, which it was once the pride of the people of this country to do.

The Earl of *Wicklow* agreed with his noble relative as to the general inexpediency of appointing a committee on this subject, but there were reasons which induced him to think a committee ought to be appointed. One of these was, that a committee was already formed in the House of Commons; but whether the House granted a committee or not, he trusted, that if any measure should be proposed to Parliament, as the result of the labours of the committee in the House of Commons, their Lordships would meet it with a fair, a deliberate, and unprejudiced consideration. He wished especially that some measure should be adopted to remove from the mind of the English agriculturalist the belief that the introduction of a system of Poor-laws into Ireland would prevent the immigration of the labourers from that country to this. He doubted much whether that immigration was an evil; but even if it were so, it was, like many other evils now the subject of complaint, much exaggerated. Considering the period at which Irish labourers came into this country, he did not think the farmers would be much obliged to Parliament for putting an end to their immigration, which occasioned a beneficial competition for labour at a time when labour was most in demand; and, above all, that their Lordships, as landlords, would not be inclined to put an end to the system. Supposing, however, that the system was an evil, he would ask whether the introduction of Poor-laws into Ireland was likely to prevent these immigrations? He must say that he was far from anticipating that such would be the result. He had not heard any one but the noble Duke who sat near him even suggest the notion of transplanting into that country the abused and vicious system of the Poor-laws of England.

The Duke of *Buckingham* assured the noble Earl, he had not recommended any such thing; for he had not yet made up his mind on the subject.

The Earl of *Wicklow* observed, that to attempt such a measure would be like attempting to transplant the forest of Hampshire into the rocks, bogs, and wilds of Connemara. There was another objection to the system of the Poor-laws. They tended to seal up the sources of private benevolence, and he was sure that in that respect they would be mischievous in their effects in Ireland. Such was now the charitable feeling of the people of Ireland, even among the lower orders, that from their doors the mendicant was never turned away — whether he were young or old, able-bodied or infirm, he was never repulsed; but always found something, even in the lowliest cot, to soothe and minister to his wants. In his opinion, the effect of the introduction of the Poor-laws would be to damp that feeling. At the same time he must confess that he wished some measures could be adopted to provide relief for the aged, the blind, and the infirm; for he thought it a disgrace to any civilized country to leave them without the means of relief; and with that feeling he was anxious that some measure should be adopted to entitle them to support and assistance.

The Marquis of *Salisbury* observed, that there would be no possibility of recurring to the system of Elizabeth, as the noble Duke (Buckingham) desired, without a parliamentary inquiry, for many parts of the law, as it might be supposed to have existed at that period, were exceedingly vague and undefined. If the House agreed to the appointment of a committee to investigate the state of the Poor-laws in this country, we might have an opportunity of recurring to the sound system of relieving the poor who deserved relief, instead of empowering every overseer who pleased, to pay a portion of the wages of labour out of the Poor-rates. This practice prevailed in Dorsetshire. He could not agree with those noble Lords who thought that the immigrations of Irish labourers were not a grievance; he thought them a very great grievance. These people came over and worked at very low wages, and in a great measure took the bread out of the mouths of the English labourers, and that at a time when the English labourers would otherwise be able to make enough money to save themselves during the worst parts of the year, from applying for parochial relief. At such times these Irish labourers came over, subsisted for a few weeks before the busy time came on, either by beggary or petty robbery, and afterwards threw themselves on the parish to be passed back again to Ireland. Was it fit that so many persons should regularly leave their own country, to come here on foraging expeditions? He thought not, and that the fact that they did so was a sufficient ground for the House to interfere on the subject. He would only add, that if Poor-laws were to be established in Ireland, they ought to be more guarded as to their administration than they were here.

The Earl of *Limerick* could not sit quietly in his place and listen to the imputations thrown out by the noble Marquis upon the conduct of the Irish labourers who visited this country. What! was it owing to the hoards of Cossacks—the invasion of savages, who robbed, plundered, begged, and carried away, truly, the wages which ought to be devoted to the support of English labourers, that we had this stir made about providing for the Irish poor? This was the boasted philanthropy and regard which noble Peers expressed for the aged, the impotent, the sick and blind. It was a selfish feeling then that was at the bottom of all this outcry about humanity and religion: they wanted to deprive their own people, who were united to them by the closest ties, who bled and died for them, of common international advantages. Good God! what, were the men who defended the country with their blood, and expended their labour in its cultivation, to be denied the privilege of bringing that labour to the best market, at the time when they could dispose of it to the greatest advantage? When the Irish labourers came to this country to work, they were to be branded as beggars, plunderers, and vagabonds! He denied the statement *in toto*, and could not sit quietly under the imputation.

The Marquis of *Salisbury* did not mean to offend the noble Earl, or the people of Ireland, but he supposed the noble Earl would hardly take on himself to answer for the honesty of every Irish labourer that came over to this country; and the Quarter Sessions attested the fact, that just about the time of their immigrations, the numbers of petty robberies were considerably increased.

The Marquis of *Clanricarde* thought, no case had been made out for a committee with reference to Ireland, though there were certainly strong grounds for a committee with reference to England, both as to the Poor-laws themselves, and their administration. He trusted our abominable system would never be introduced into Ireland, where, in fact, the machinery of that system would not work; but if it could, the effect must be most injurious to the country. He wished, in common with the noble Earl who opened the debate, for a more effectual mode of relieving the sick, impotent, and aged in Ireland, by the extension of the system of hospitals or infirmaries, &c.: but when we talked of the Poor-laws, all the argument went on the supposition that Irish labourers would be prevented from coming over to England, by their introduction into that country. But the immigrations of Irish labourers could not be prevented by introducing Poor-laws in Ireland; and it would be most unjust to try to prevent them; for if the rich Irish were compelled to come here as buyers of labour, the poor Irish ought to be allowed to come here also as sellers of labour. Besides, he had always heard that Poor-laws had a tendency to lower the rate of wages; and if so, the introduction of Poor-laws into Ireland would reduce the rate of wages still lower than they now were, and would make the immigrations greater than ever.

Earl *Stanhope* could not lose that opportunity of protesting against the opinions now expressed, particularly by the noble Duke (Buckingham), as to the abuses of the administration of the Poor-laws. The real cause of the present high amount of Poor-rates was not the abuses of their administration, but the want of employment for the poor, occasioned by our mistaken policy. The noble Duke ought to be better acquainted with his own county, where this was the obvious cause of the sufferings of the poor. It was impossible that any mal-administration of the Poor-rates should have increased them 20*s*. or 30*s*. an acre, or in some cases, raised them to an amount that was equivalent to a total confiscation of the land. He thought the cause of this distress imperiously called for an inquiry, and he rejoiced that a noble Duke (Richmond) intended to call their Lordships' attention to it on Thursday. With respect to the introduction of Poor-laws into Ireland, he did not think it would prevent the immigration of Irish labourers here. The best way to cure the evils of that country was to get rid of a body of men who were the real causes of the pauperism of that country—he meant the middle-men of Ireland.

Earl *Darnley* said, that however they might differ among themselves as to the means, the object of all was to provide relief for the aged, and the infirm, and the needy part of the population of Ireland. After the explanation of the noble Duke opposite, and with the knowledge that the subject was in excellent hands, in the Committee of the House of Commons, he should not, at present, press the subject further on their Lordships' attention. On principle, there could be no question that Poor-laws ought to be introduced into Ireland, the only differences were as to the effects that would be produced. He should take the occasion presented by the motion of the noble Duke on Thursday to call the attention of the House again to this subject.

The Duke of *Buckingham*, in reply to the charge of giving an opinion upon a subject of which he had been stated to be perfectly ignorant, and in answer to the accusation of not being acquainted with the condition of the county which his Majesty had intrusted to his care, declared, that all his experience proved—and he had studied the subject with some attention—that the pressure of the Poor-rates in his county was caused by the overseers applying them in part payment of the wages of labour. In this opinion he was supported by the magistrates of the county, and he assured the noble Earl, that he had not expressed an opinion without having made himself master of the subject.

Earl *Stanhope* admitted, that the mal-administration of the Poor-laws might have some effect in producing the evils complained of; but contended, that the policy lately adopted had still more powerful effects. To say that English labourers considered the Poor-rates as a means of escaping from work, was a libel on one of the most useful classes of men in the country.

COURT OF CHANCERY.] The Lord *Chancellor* gave notice, that on Monday next he should submit a Motion to their Lordships upon the business of the Court of Chancery, and that he should take that opportunity of explaining the measures now in progress, relative to the amendment of the general administration of the laws of the country.

HOUSE OF COMMONS.

Tuesday, March 16.

MINUTES.] The Deputy Clerk of the Crown attended, to amend the Return for Wexford, inserting, instead of the name of Sir ROBERT WIGRAM, that of Sir EDWARD DERING.—The Annual Indemnity Bill was read a First time.

Returns were presented, of the several Informations filed by the Attorney General, against Mr. ALEXANDER, the Editor of the Morning Journal:—And of all Suits commenced in the Court of King's Bench, Westminster; wherein the venue was laid in Wales.

Returns were ordered, on the Motion of MR. HUME, of the Sums received, on account of the Fee Fund in the Court of Session in Scotland, and how appropriated.

Petitions were presented, against the renewal of the East-India Company's Charter—by Mr. BATLEY, from the inhabitants of Beverley:—By Mr. HUME, from the Merchants and others of Aberdeen:—By Lord MILTON, from the Merchants and Manufacturers of Huddersfield, Halifax, and Bradford, Yorkshire:—By Mr. MARSHALL, from Selby, Yorkshire:—by MR. W. DUNCOMBE, from the inhabitants of Churwell and Beeston:—By Lord STANLEY, from Rochdale:—And by MR. DICKENSON, from Frome, in Somersetshire. Praying for the Repeal of the Sub-letting Acts in Ireland, for a Composition of Tythes, and for a Repeal of the Vestry Act—by Mr. O'CONNELL, from several Parishes in Ireland:—By Mr. OTWAY CAVE, from Carrick-on-Suir. Praying for the Repeal of the Assessed Taxes—by Mr. SYKES, from the inhabitants of Kingston-upon-Hull:—By the same Gentleman, from the same place, praying for measures to enable Creditors more effectually to recover Small Debts. Against the Duty on Coals carried Coastwise—by Mr. HOLDSWORTH, from the inhabitants of Clifton, Dartmouth, Hardness:—By Colonel CRADOCK, from the inhabitants of Camelford. Praying for an Alteration of the Corn Laws—by Mr. SADLER, from JOHN WRIGHT, of Lenton-House, Nottingham. Praying for assistance to Emigrate—by Mr. W. HORTON, from the Emigration Society of Lanarkshire. Praying that the Poor-law Amendment Bill might not pass into a Law—by Sir M. W. RIDLEY, from Newcastle-upon-Tyne:—By Mr. SYKES, from the Guardians of the Poor at Hull. Against the Removal of the Hay-market Bill—by Mr. BYNG, from the Farmers and Hay-Salesmen, residing near the Metropolis: And from the Licensed Victuallers, residing in the Hay-market. Against throwing open the Retail Trade in Beer—By Lord EASTNOR, from the inhabitants of the City of Hereford. Praying for the Repeal of Capital Punishment in cases of Forgery—By Mr. PENDARVIS, from the inhabitants of Falmouth; And by Mr. CRIPPS, from the inhabitants of Cirencester. Praying for the Abolition of the plan of Paying Wages in Goods—By Sir CHRISTOPHER COLE, from certain Iron-Masters in Glamorgan:—By Mr. WILMOT HORTON, from Newcastle-under-Lyne: And by Mr. W. SMITH, from the Ministers of the Wesleyan Persuasion, in the neighbourhood of Dudley, Complaining of Distress, and Praying for Relief—By Mr. FOUNTAYNE WILSON, from the inhabitants of Marrick, in the County of York:—By Sir W. HEATHCOTE, from the Freeholders of Hampshire, and from the inhabitants of several parishes in Hampshire:—By Colonel LYGON, from the Grand Jury of Worcester; and by Mr. W. DUNCOMBE, from the Agricultural Society of Holderness:—By Mr. ESTCOURT, from Dunsley. Praying for the Continuance of the Bounties on Fishing,—by Mr. O'CONNELL, from the Fishermen of Belfast. Praying for a Repeal of the Duty on Malt, Hops, and Beer: And for a Reform in Parliament, by Sir JOHN SEBRIGHT, from the Freeholders of the County of Hereford:—By Lord Viscount MANDEVILLE, from persons in the neighbourhood of Huntingdon:—By Lord ALTHORP, from the Hundred of Humbleyard:—And by Mr. W. SMITH, from the Justices and others of the County of Ross; And praying for the Repeal of the Leather Tax, by Mr. O'CONNELL, from Kilkenny and Wexford.

CALL OF THE HOUSE.] A Motion for calling the House over having been fixed for to-day, the attendance of Members at four o'clock was unusually great; and the call was, therefore, not enforced.

Sir *R. Vyvyan*, who had given the notice of moving that the House be called over, referring to that notice, and to the large number of Members in attendance, said, that the great object he had in view was to procure that large attendance which he now saw present. There were also, he understood, many other Members in town who would be present in the course of the evening, and he had no doubt that the division on the motion of the hon. Member for Shaftesbury on the State of the Country on that evening, would express the full sense of the country on this important question. He would therefore now move that the order for calling the House over be discharged. Ordered accordingly.

ST. GILES'S AND ST. GEORGE'S BLOOMSBURY, VESTRY BILL.] Mr. *Hobhouse* presented a Petition signed by 2,000 most respectable inhabitants of the parishes of St. Giles and St. George Bloomsbury, against the Bill now in the House for establishing a Select Vestry in those parishes. The meeting at which this petition had been agreed to was one of the most numerous and respectable he had ever seen, and the opinions there expressed showed that the Bill did not express the sentiments of the majority of the parish. He was surprised that any hon. Member could press a bill which which was so much against the feelings of the great mass of the parishioners.

The *Speaker* informed the hon. Member, that the petition being against the principle of the Bill, it could not be referred, as he moved that it should, to the Committee; for the principle of the Bill had been already agreed to on the second reading. If the petitioners prayed against parts of the Bill, the petition might be sent to the committee.

Mr. *Hobhouse* said, that the petitioners prayed against certain clauses of the Bill as well as against the principle, and on that ground, he thought, with all deference to the authority of Mr. Speaker, that the petition might be so referred.

The *Speaker* said, if the hon. Member stated that those clauses did not embrace the principle of the Bill, the petition might be referred to the committee.

Petition referred accordingly.

DISTRESS OF THE COUNTRY.] Colonel *Sibthorp* presented a Petition from the inhabitants of Spilsby, in Lincolnshire, complaining of the unprecedented state of distress of the country. The hon. Member said, that though he was glad of the reductions proposed last night, yet he was sure the country would not be satisfied with it. He had listened with great attention to what had fallen from the right hon. Gentleman last night, but remembering the promises and pledges of the Government, he was disappointed at the smallness of the reductions. It was to him the old story, *Parturiunt montes, nascitur ridiculus mus.* He did not altogether blame the Chancellor of the Exchequer, for he did not think that an angel in his situation could satisfy all the contending claimants on his favours. He must, however, repeat, that the reductions he had proposed would neither relieve the public distress nor satisfy the public expectations. Looking at the extent of our distress, considering that all the causes of it were yet in active operation, there being no chance that they would be removed,—seeing our manufacturers, in a great measure, unemployed, our shipping lying idle, seeing too, the vast extent of our useless expenditure; officers being paid great sums who performed all their duties by deputy; seeing that this system had been increasing for years, without any hope of arresting its progress, he did not, and he could not, look for any reductions in taxation corresponding to the great distress and just expectations of the industrious classes. He believed, however, relief could not long with safety be withheld, for if the wishes of the people were not attended to in that House, their voices would be heard in another place where it would be certain to be obeyed.

Petition read and laid on the Table.

Mr. *Hume* presented a Petition from Irvine, representing the severe suffering of the hand-loom weavers, who, by labour of sixteen hours per day, were only able to earn on an average 3*s.* 6*d.* per week. They complained, too, of being compelled to emigrate to a foreign country, when they thought they ought to be protected in their own. It would give them relief to let in foreign corn, and it would give employment to thousands who were without any occupation. He hoped that these subjects would be taken into serious consideration by his Majesty's Ministers. If no other relief could be given them, they prayed that they might be assisted to emigrate to some of the colonies.

Mr. *W. Horton* said, that he had been intrusted with a similar Petition; and as it seemed not at all likely that Government would aid the petitioners in emigrating to Nova Scotia or Canada, he had recommended them to rest satisfied, and to hope all kinds of relief from the proposed abandonment of the duty on Beer.

Lord *Nugent* presented a Petition, with the same prayer, from Aylesbury, Buckinghamshire, which also prayed for Parliamentary Reform. He would say nothing of distress in other places, but he could venture to assert that in Buckinghamshire it was very severe. The graziers and dairy farmers there were almost ruined, and if they paid rent at all, it was really paid out of their capital, for they were making no profit. The price at which they could sell their commodities did not pay for the expense of producing them. The petitioners did not pretend to assign the cause for their distress, they left that to the House, and they looked to its wisdom to obtain relief. The noble Lord expressed his confidence that the remission of taxes announced last night would be received with the greatest joy in the country, and that the people would feel grateful for the manner in which Parliament began to sympathise with their distresses. The petitioners did not desire to see a return of famine prices, but they desired a further reduction of taxation. He did not think that could take place without also reducing our establishments, and it became with him a serious question how long they could be maintained at their present extent. The petitioners also prayed for a reform in Parliament on the fair principle, that as the House held the purse of the people, its Members ought to be chosen by them.

Mr. *Slaney* observed, that Aylesbury, which ought to be one of the richest and most flourishing places in the southern parts of England, was suffering, at present, distress which had but few precedents at former periods. This, as well here as elsewhere, was, in his opinion, in a great degree attributable to the improper administration of the Poor-laws.

Lord *Nugent* ascribed the existing distress to the improvidence which had been manifested at the time of high prices, during which the labourers were not given wages in just proportion to the price of the produce received by their employers. Some hon. Members had expressed an opinion, that the repeal of the Beer-tax which was last night announced, would be found inadequate to relieve the distresses of the people; but in this he must differ from them, as he knew that it would be productive of very considerable relief in the part of the country with which he was connected.

Sir *M. W. Ridley*, in observing on the Petition, took occasion to remark, that the noble Lord ought to have commenced by recommending reform to his own constituents before he came down and recommended reforms in Parliament.

Lord *Nugent* replied, that such a suggestion would have come with a better grace from any other hon. Member than from him.

The Petition to lie on the Table.

Mr. *Sadler* presented a similar Petition complaining of distress from Leeds, signed by 1500 persons, many of whom, he said, were heads of families. He observed, that to those the remark of the hon. Member opposite, respecting the abuse of the Poor-laws, did not apply. They had nothing to do with the administration of the Poor-laws though they profited by them, for he did not know how they could have subsisted without the relief given them by the Poor-laws.

Mr. *Slaney* said, his remark was applied to the agricultural, not the manufacturing districts.—To be printed.

Mr. *Cartwright* rose, to present a Petition from the county of Northampton, complaining of general distress, and praying for general relief. The petition bore the signature of the High Sheriff; and as his, of course it must be received; but it certainly proceeded from a county meeting. At that meeting another petition was proposed, which included a prayer for parliamentary reform. The two petitions were put to the meeting; and the High Sheriff, upon a show of hands, decided that the majority was in favour of that now in his hand. He would not conceal that a strong feeling existed that the decision on the show of hands was erroneous. He would not say whether the High Sheriff was right or wrong; but this he would say, that he never saw more good feeling or good temper than prevailed during that meeting; and he had no doubt that those who attended would receive the announcement recently made by the Government on the subject of taxation most gratefully; for the relief was calculated peculiarly to benefit the poor.

Lord *Althorp* said, no doubt the petition was the petition of the High Sheriff. The High Sheriff persuaded himself that it was the petition of the meeting; but there were not two persons present who agreed with him in that opinion. Some of those immediately near the High Sheriff might have held up their hands in favour of the petition; but the great mass of those in the hall were against it; amongst whom were one banker, several clergymen, and others of much respectability. He had great satisfaction in thinking that so respectable a meeting of his constituents had declared in favour of parliamentary reform.

Petition to be printed.

Mr. *Otway Cave*, in presenting a Petition from Liecester, signed by 1500 persons complaining of distress, observed, that the proposed reduction of the Beer-duties would only be prospectively beneficial, while the distress of which the petitioners complained was presently urgent, and demanded instant relief. To shew how necessary it was that the House should do something to maintain its reputation among the people, he would mention one fact, which he lately witnessed. At a public meeting, held at Leicester, and presided over by a gentleman who was formerly its representative, it was debated whether a petition should be sent to the House of Commons, and it was argued that it was of no use to present petitions to the House, that it had not the will, if it had the power, to relieve the people, and that it had of late betrayed such a total disregard of the people's petitions that it was only a waste of time to appeal to it, which were the sentiments of a great many persons, and by that the House might see how fast it was sinking in public estimation. He did not mean to say that he shared those sentiments, but he could assure the House, that if it did not attend to the wishes and prayers of the people, they would put themselves under leaders who at least would have the appearance of attending to their wants.

Petition laid on the Table.

Mr. *Heathcote*, in presenting a Petition from Boston, Lincolnshire, also complaining of distress, and signed by nearly 700 persons, stated, that since the alteration of the tax on wool, land in that neighbourhood, had fallen greatly in value, as well as all stock; so that the graziers and farmers could hardly obtain a living. Indeed these, he said, were the most suffering classes in the community, particularly the graziers. In common, however, with all classes, they would hear, he was sure, with satisfaction, of the substantial relief about to be afforded them.

Mr. *Irving* said, he believed that the distress, of which so many petitions complained, was fast disappearing. Indeed he knew, from excellent authority, that at present there was more work at Leeds than there had been for many years. Never was trade there more active, and he did not believe there was one man who might not find employment. Orders, too, had lately been received there, which would keep the people continually employed for some time. He wished, distinctly and positively to state, because a different representation had lately been given by the hon. Member for Newark, that the trade of Leeds was now brisker than it had been for many years. For some of our manufactures there was at present a greater demand than there had been at any former period.

Lord *Rancliffe* said, he was sorry that he could not corroborate the pleasing statements of the last speaker, but on the contrary, as far as Nottinghamshire was concerned, he must bear his testimony to the existence of great distress; but he must, at the same time, express his thankfulness to the Government for what it had done, adding, that the people relied on his Majesty's Government, and on the wisdom of Parliament.

Mr. *Heathcote* said, he also regretted that he could not confirm the hon. Member's statement. At Boston there was not employment for one-third of the population, and the distress was unexampled.

PUBLIC DISTRESS.—THE MALT TRADE.] Lord *John Russell* presented a Petition from Dursley, complaining of great distress, and asking for relief. Of 4,000 inhabitants, 1,500 were receiving support from the parish. The noble Lord stated his concurrence with what had fallen last night from the hon. Member for Northampton, as to the statement of the Chancellor of the Exchequer. He admitted that the reduction of taxation had been judicious; but he would recommend the Chancellor of the Exchequer to revise the whole system of taxation, with a view of adapting duties which had been enormously raised during a depreciated currency, to the present raised value of money. He would likewise take that opportunity of asking the right hon. Gentleman opposite, a question relative to the restrictions on the Malt-trade. He would ask, what were his intentions, as he proposed to make no alterations in the Malt-duties, with respect to alleviating the burthen of restrictions under which the trade laboured.

The *Chancellor of the Exchequer* had received, during last year, a number of communications from gentlemen to whom the Maltsters had intrusted their interests. He had consented that those gentlemen should have an interview with the Commissioners of the Excise, with the intention of providing such regulations as, without injuring the Revenue, would give relief to the trade. They had come to an agreement, and a bill had been prepared accordingly, which he had not yet been able to introduce into Parliament, from the pressure of business. He would, however, lose no time in giving effect to those arrangements which, he understood, would be satisfactory to the parties concerned.

Mr. *Portman*, as a party to the arrangement, hoped that the Bill would soon be introduced. He had lately seen several Maltsters on the subject, who complained very much of these restrictions, but though he wished the Bill to pass as soon as possible, he hoped that it would be printed and circulated some time before it was passed through that House. He wished that the parties interested in it should have an opportunity of examining it before it became a law.

Mr. *Brownlow* took that opportunity of reminding the Chancellor of the Exchequer of petitions he had frequently presented, praying that the duties on Irish and Scotch Malt might be equalized.

The *Chancellor of the Exchequer* was understood to assent to the suggestion of the hon. Member.

Mr. *Slaney* wished that the opportunity might be taken to revise the whole of the laws regulating the Maltster's business.

Mr. *Bransby Cooper* said, that he hoped, if these laws were to be altered, that they would be arranged to the satisfaction of all parties. He would take that opportunity of expressing his conviction, that the measures last night proposed by the Chancellor of the Exchequer, would afford the country considerable relief.

Mr. *Estcourt*, having also a Petition to present from Dursley, took that opportunity of confirming the statement concerning the distress in that town made by the noble Lord. Besides the 1,500 persons mentioned as receiving relief, 1,000 others were unable to contribute to their support. Of seven factories, three were entirely shut up, and two were only working one day in three. There was another town in the neighbourhood equally distressed; he doubted if there were that prosperity in the woollen manufacture mentioned by the hon. Member for Bramber, and heartily wished it were true of the distressed people of Gloucestershire. It certainly was not the case among the petitioners; for, of a population of 5,000, 3,500 were receiving relief.

Mr. *Irving* said, he could not, of course, deny the hon. Member's statements, but he was disposed to think that the cause of distress in Gloucestershire was, that the manufacture of woollen cloth was migrating from thence, and from the west of England, into Yorkshire, principally on account of the cheapness of coal in the latter. In the same manner, the silk manufacture was emigrating from Spitalfields to the country. For this cause of distress he did not think there was any relief; at the same time, he repeated that the manufacture of cloth at Leeds was very brisk, and gave employment to a great many persons.

Mr. *Dickenson* knew that the reverse was the case in the west of England, where trade was as bad as possible. He had received, that day, a letter from a manufacturer, stating, that it was of no use embarking capital in business, and that he meant to withdraw from the trade as soon as he could.

Mr. *Cripps* said, that the information he had received was of the same character; and repeated, that many parishes were in such a state that they could not possibly support their own poor, and must be assisted. He was aware that the manufactures of the country were travelling to the north, and he should be glad to learn that the workmen went with them; and that they could anywhere find employment. Whatever might be said of the improvement of trade elsewhere, he knew that there was no improvement in Gloucestershire. It was impossible that things could remain as they were. The number of persons seeking relief was greater than could be relieved.

Mr. *Slaney* was prepared to answer the statements of the hon. Member, but he would delay doing so till the proper period.

Mr. *Cutlar Fergusson* thought it would be more satisfactory to the House if the hon. Member for Bramber also stated that the manufacturers who were doing so much work were making adequate profits, and that the men were obtaining good wages. He knew, from a very correct source, that the wages of the manufacturer in England were not above 4*s*. 6*d*. per week. In the west of Scotland, where the distress was not so great as in England, the wages were not above 5*s*. per week. He wished to take that opportunity of correcting a mistake which had got abroad, as to what he had stated on a former evening. He had never said, as had been supposed, that there was no distress in Scotland. What he stated was, that the distress among the agricultural labourers in Scotland was not equal to that among the same description of persons in England; but he believed that the distress among the land-owners and farmers was quite equal to that of the land-owners and farmers of England, if not greater. In neither country were the wages of labour adequate to subsist the labourer, and the demand for his services was only partial and fluctuating.

Mr. *W. Whitmore* deprecated such desultory remarks on presenting a petition, when there was a motion on the subject to be brought forward that evening.

General *Gascoyne* thought the hon. Member for Bramber's statements were contradicted by the Petitions of the people then lying on the Table of the House. The hon. Member being without constituents, took it on himself to represent an unrepresented place. He had always a letter or two in his pocket from some town which had no representative to contradict his allegations. Whatever that hon. Member might say, he knew that turn which way he would, he heard complaints of distress sufficient to warrant him in saying, that the hon. Member's statements were not correct as a representation of the general state of the country.

Mr. *Irving* explained, and reiterated his statements, affirming that his information was as good as that of any other hon. Member.

Mr. *Fynes Clinton* asserted, that there never was a period when the distress of the manufacturers was so great as at present.

The Petition from Dursley, presented by Lord J. Russell, was then brought up and read, and ordered to be printed.

TRUCK SYSTEM.] Mr. *W. Smith*, in presenting a Petition from the Clergymen of the Wesleyan persuasion, near Dudley, praying for the abolition of the plan of paying wages in goods, observed, that the petitioners stated, that extreme distress existed in their neighbourhood, which they attributed, in a great measure, to that system, which they prayed the House to abolish. He supported the prayer of the petition.

Mr. *Hume* said, he could not avoid entering his protest against the ministers of any persuasion whatever inflaming the passions and fostering the ignorance of the poorer classes. It was a departure from their sacred functions which ought not to be tolerated. The Truck System, so far from being injurious to the workmen, was one of the means by which the masters were able to employ them; and if they were not to adopt it, they could give them no wages at all. The sufferings of the poor, of which he was as sensible as any man, did not arise from the Truck System, but in a great measure from causes beyond the control of that House; and the petitioners would act more consistently with their sacred character if they were to make themselves masters of the subject, and in spreading sound information among the people, remove the causes of discord instead of promoting them. To-morrow, he hoped, the subject would be fully discussed, but he must, in the mean time, protest against clergymen going out of their way to petition that House on a subject of which it was plain they were very ignorant.

Mr. *W. Smith* said, the observations of the hon. Member were so much at variance with the spirit in which the petitioners came before the House, that he could not avoid saying one word in their defence. They expressly state in their petition, that they are much disinclined to meddle in political matters, but being continually made sensible of the distress arising from the system, they thought themselves bound to lay their petition before the House. He was afraid it was rather the hon. Member who was ignorant of the effects of this system, than the petitioners who dwelt in the neighbourhood where it was most prevalent.

Petition laid on the Table.

Mr. *Littleton* presented a Petition from Ampney, Staffordshire, against paying Labourers' Wages in Goods instead of Money. The petition was agreed to at a large public meeting, and signed by 9,000 persons, and among them there was not one mark's-man.

Sir *John Wrottesley* supported the prayer of the petition, and bore his testimony to the good behaviour of the petitioners.

Mr. *Hume* wished the House not to believe, that the Truck System was the cause of the distress; it was the consequence of it. He would not, however, then raise a debate on the question, as it would be discussed to-morrow.

Mr. *Littleton* in presenting similar Petitions from certain Colliers in Staffordshire, from Wolverhampton, and from Uley, Gloucestershire, said, to-morrow, he had no doubt, he should be able to refute the opinion of the hon. Member for Montrose. The hon. Member also presented a Petition from the Liberties of Lington and Lane-end. The petitioners complained of Distress, and prayed for Relief. There was, however, one thing in their petition which he could not pass over in silence. The petitioners expressed their high sense of the patriotism and virtue of the Marquis Camden, in devoting so large a portion of the emoluments of his office to the public services, and regretted that an example so noble and so beneficial had not been generally followed. It formed, in their opinion, as it must, indeed, in the opinion of all who considered its importance, and the time in which it was offered, a rare tribute of public spirit and private virtue. The hon. Member added, that he would, at the same time, express the satisfaction he felt at the statements made last night by the Chancellor of the Exchequer. By removing the tax on beer, which was, in fact, a tax on barley, the agriculturist would be relieved.

The Petition was ordered to be printed.

CORN TRADE.] Sir *F. Burdett*, in presenting a Petition from the Inhabitants of the Parish of Uley, in Gloucestershire, complaining of distress, and praying for a free trade in Corn, took the opportunity of stating, that he cordially concurred in the prayer of the petition, and hoped that the monopoly in Corn would speedily be done away. Also from the Inhabitants of Stroud, in Kent, complaining of the duty on Beer.

The Petitions to be printed.

Wool Duties.] Mr. *Denison* presented a Petition from the Woollen Manufacturers of the Parish of St. Mary Magdalen, Bermondsey, one of the most populous in the county of Surrey, and once the seat of the wool trade, complaining of the duty on Wool, and praying for its reduction. The hon. Member, after expressing a hope that the right hon. Gentleman, the Chancellor of the Exchequer, would pursue the course he had begun, and reduce more taxes next year, presented petitions from the agriculturists of several parishes, praying a reduction of the duty on Malt.

Poor Laws—Ireland.] Mr. *O'Connell* in presenting a Petition from the Weavers of King's County, Dublin, complaining of Distress, and praying that the importation of English goods into Ireland might be charged with a duty, and either to abrogate the Poor-laws in England, or introduce them into Ireland, observed, that he could not concur in the prayer of the petition. He was an advocate for free trade, and could not, therefore, ask for a tax on English goods to prevent them being imported into Ireland; nor could he, while he heard Gentlemen around him complaining so much of the Poor-laws in England, wish that they might be introduced into Ireland. That country had miseries enough of its own without adding to them the degradation of making the whole labouring population dependent on parish overseers.

Petition referred to the Committee on the state of the Irish Poor.

Licensing System.] Lord *Nugent* presented a Petition from John Goodwin, of St. Ives, in the county of Huntingdon, complaining that he had been refused a license for the retail of exciseable liquors, and that his appeal to the Quarter Sessions had given him no redress; he therefore prayed against the continuance of a monopoly in the sale of Beer, and also against the existence of this arbitrary power. The hon. Member said, he would only observe, that the mode of appeal was little better than a mockery; being an appeal from the magistrates at their own houses, to the same magistrates assembled at the Quarter Sessions. The petitioner made no complaint of the individuals by whose refusal he suffered, but of the system by which they were allowed to have the power of giving or withholding licenses at their pleasure.

Mr. *Fellowes* read a letter in justification of the refusal, on the ground that there was already a sufficient number of public-houses in proportion to the population of St. Ives. It only amounted to 2,800, and there were already thirty-eight public houses in the place. Moreover, the house the petitioner wished to have licensed was situated in the Market-place, where there were already no less than six public-houses. These appeared to the magistrates justifiable grounds for the refusal.

Suttees.] Mr. *F. Buxton*, in presenting Petitions from the Protestant Dissenters assembling in Eagle-street, Redlion-square, and two other places, against Suttees, wished to know from the noble Lord opposite if there were any foundation for the report that the British Government in India had prohibited the practice of burning widows? It had been asked of him how it happened that the subject had been allowed so long to sleep in Parliament? He replied, that from the time he heard that Lord William Bentinck was appointed to the government of India, he entertained no doubt that whatever could be safely done towards the abolition of the practice the noble Lord would endeavour to effect. This confidence had not been misplaced. It would not become him to pronounce a panegyric on that noble person, but he was sure, if any man possessed the moral courage to achieve so great a victory over prejudices, in the cause of humanity, it was Lord W. Bentinck. What he now wished to know was, whether the report alluded to was well founded?

Lord *Ashley*, in the absence of official documents, could say nothing definitely, but he thought the report might be well founded.

Select Vestry Act—Ireland.] Lord *Althorp* presented a Petition from the Catholic inhabitants of a parish (New Ross, as we understood the noble Lord) in the county of Wexford, against the Select Vestry Act. The noble Lord considered the case of the petitioners to be one of peculiar hardship, even in Ireland; for though they constituted the large majority, in the proportion of 200 to one, of the parish they resided in, they were obliged to contribute to the erection and maintenance of the Protestant church, which was actually eleven miles distant from them, owing to their parish being one of an union of three or four under one rector. The petitioners also complained that no money was ever given by Parliament to repair churches in Ireland, while large sums were given for that purpose in England.

Sir *J. Newport* agreed with the noble Lord that the case of the petitioners was one of great hardship; one, indeed, of the, he feared, too many abuses of the Church establishment in Ireland. He had wished to relieve the inhabitants of this parish, but he found, as he had stated the other evening, that the law would not allow him.

Mr. *O'Connell* had a motion on the list for a future evening on the subject of the abuses under the Select Vestry Act, on the discussion of which he would endeavour to demonstrate to the House the necessity to repeal that act, and to revise the present oppressive system, as far at least as the Catholics and Protestant Dissenters were concerned, of Church-rates.

Mr. *G. Moore* considered the case of the present petitioners to be one without a parallel in Ireland, and therefore as one which should not be made the occasion of a sweeping censure on the church establishment of Ireland.

Mr. *O'Connell* would, on the occasion to which he had just alluded, quote at least thirty similar cases, and at least fifty parishes in which the Protestants were not to the Catholic population as ten to twenty, but sometimes as six to 3,000 or 4,000, and yet the latter were compelled to support the Church establishment of the small minority.

The Petitions to be printed.

State of the Nation.] Mr. *Edward D. Davenport*, in bringing under the consideration of the House a motion for a Committee to inquire into the Distressed State of the Country at the present moment, expressed a determination not to shrink from the task he had imposed on himself, although the statement elicited from the Chancellor of the Exchequer last night, by the repeated calls of the people, would probably afford some of his own friends—his lukewarm friends—an opportunity of blinking the present question, and would supply them with an apology for abandoning an inquiry into the distresses of the people. They would have a good pretext for voting against his motion in the supposition that the people would receive relief in consequence of the measures which the Government had last night informed the House it proposed to adopt. He trusted, however, by the vote of that evening, to ascertain how far they were disposed to exert themselves to procure a remission of taxation, and thereby to obtain the means of giving employment to thousands who were, as he would presently show, living, not on the bread of charity, for that they could not obtain, but on the roots—restoring them once more to the station they ought to enjoy, and giving them the comforts, of which they ought never to have been deprived. It would be seen whether they were desirous of giving relief to those who demanded it, and whether they would persevere in giving a ministerial or patriotic vote. He could not understand how that House could continue as it did to disregard the prayers of the people, who were now suffering a distress which might be truly stated as unprecedented in the history of the country. He doubted, indeed, whether in any country whose interests were intrusted to representatives of the people, there ever was an instance of that people being placed in such a state of deprivation and distress as our people were now in, and yet at the same time being refused by their own representatives all means or opportunities of proving to them that there was such distress; and still more, he believed that there was no instance in the history of any country possessing representatives, who displayed no disposition to relieve that distress, or even to inquire into its existence. In proof of the existence of great distress, he would call in the evidence of one of the largest of the central towns of the kingdom—he alluded to the town of Birmingham—and he would also call in the evidence of the petition from the town of Leicester, presented that evening, as a proof that he had not been guilty of exaggeration; but the petitions of the people were disregarded, and they had grown weary of petitioning.

Those to whom their petitions were addressed seemed deaf to the prayers and blind to the misfortunes of the people; who were beat down and depressed by those who had doubled their burthens, by tampering with the currency, and who, to use the words of Scripture, "Have thus made the measure small and the coin great, falsifying the balance by deceit." The petitions, at least some of those which emanated from the upper classes, singular to say, were not addressed to the House of Commons, to the House of Lords, nor even to the King; for the father of his people, in these times, was no more heard of than if he was not a member of the family—the petitions were addressed to the most noble Arthur Duke of Wellington, who was generally supposed to be a kind of fourth estate in the country, and to consolidate in his person the other three [*hear*]. The people seemed to think, with some reason, that it was better to address the person from whom all power emanated, and they hoped that he would show more solicitude for his countrymen, who had showered on him such boundless favours, than they had received from those representatives to whom they had intrusted their interests. He could not blame them for this. The fault lay with that House, which refused to hear the complaints of the people; but this he would say, that an innovation of that kind coming in a petition from no less than three counties, would have made their forefathers start from their graves with horror, to reproach them for their degeneracy, and to incite them to recover their independence. A country placed in such a situation, sacrificed to the receivers of taxes, made by means of sleight-of-hand tricks with the currency, to pay the double of its engagements and the double of its means—and repeatedly, but in vain, asking their representatives to inquire into the truth of their statements, was not to be believed, unless the evidence of it were daily before us, and was a state of things which posterity would not believe could ever have existed. The shipping interests, the trading, the manufacturing, the agricultural interest, every class in the country, came before the House with petitions, complaining of distress; but when they ventured to allude to the cause of that distress, or called on the Members to inquire into the cause, they were treated with indifference, or silenced by clamour and contempt. He did not overstate this. It was but too true; and if any one presumed to raise his voice in their defence, or dared to interfere between the spoliators and their victim, they were opposed by a conspiracy of persons interested in a continuance of the abuses, and anxious to prevent the voices of the people from being heard in that House, or even to allow what was said in their favour to be heard beyond its walls. The Ministers seemed to have adopted this sort of argument; "for the Currency question we have bad ground to stand on, let us, therefore, take away from our opponents the opportunity of debating it. The forty indispensable men must be kept away on the day the question is raised—there must be no House; and thus have the Ministers foiled us three times. Should they persevere and at length succeed, we must then take care to provide a sort of Dutch concert for them. The orchestra at the bar must be reinforced, the whippers-in must take the lead, making one snore in soprano, another cough in treble, and many vociferate noisy interruptions in bass, and so we must supply our want of argument, adjourning the inquiry from day to day, postponing it from Session to Session, till it is too late to interfere and put an end to the robbery of which the people complain." He would ask them, however, to extend their candour and their entertainment a little further, and grant him a committee to inquire freely and fairly into the cause of the sufferings of the people. Was it not a burlesque on free institutions to say that the distress of the people was the only subject that was never to be inquired into? Why was it, indeed, that such an inquiry should be refused? It was never resisted in the case of a Turnpike or a Road Bill; and why it was that they should refuse to look into the abyss of misery in which they were plunged, and reject all examination into the method of alleviating distress, it was impossible to conceive. If the representatives of the people continued to decline paying any attention to their prayers, there must eventually be a convulsion in the State. The people would lock up the doors of that House; but he would not say, as had been said elsewhere, that they would throw all the Members into the Thames, though they might, perhaps, be very properly disposed of in that way [*a laugh*]. He only suggested the possibility of such a catastrophe. Another danger to be apprehended was, that the people would begin to suspect there was a distinction drawn between the rich and the poor—between the capitalist and the producers of capital—between the payers and the receivers of taxes. Of course there was no such thing in that House as a preference of their own interests; but then there was a danger that the people might not be aware of the wisdom of the House, or of its excellence and probity; and at all events there was prudence in not calling on them to take these things too much on assertion. He did not attribute to others that which he was not willing to confess applicable to himself. He had a personal interest in the discussion of the question. He was not one of those who had amassed a large fortune through the means of laws made for the protection of themselves. He had not made a fortune by usury, or by taking advantage of favourable changes to turn over his property in the money market. He was one of those whose estates had descended to him from his forefathers—one of that unfortunate class to whom belonged almost the whole of the land in the country; and in the name of that class, and of every other class suffering in common with it, in the name of thousands and tens of thousands of persons suffering under the operations of Mr. Peel's Bill, he solicited an inquiry into the nature and causes of their distress. He knew well that the Government was determined to oppose whatever course he might think proper to adopt, but he hoped at the same time that there might be some Members who were now sensible of the cajoleries attempted to be practised on them, who would join with him in compelling the House to do justice to the people. He called on them not to suffer themselves to be deluded any longer, but fearlessly to look those evils in the face, which, whatever the self-satisfied statesman might say, was disgraceful to any Government upon earth, and was quite sufficient to disgust the people of these realms with the name and functions of the House of Commons. He did not mean by the Motion to turn the Ministry out [*a laugh*]. He did not understand the laugh. He knew that it would be madness to hope for such a result, and that he might as well say he would pull the House down, as attempt to remove a Government supported by such majorities. For two-and-thirty years all contracts had been framed, all taxes imposed, in one currency. That currency had been altered; and yet his Majesty's Ministers in the eleventh year of our worse than Babylonish captivity said, that the currency question had nothing to do with the distress, that the currency question had nothing to do with the want of currency! He knew, however, that they would endeavour to shut the eyes of the House to the present state of the country, by painting flattering pictures in the most glowing colours of the state in which it would be next year. The fallacy of such a prediction would be best exposed by a reference to the fallacy of similar predictions in former years. He admitted that the noble Duke at the head of his Majesty's Government had adopted a course which was very convenient, when the country made a direct charge against the prudence of his domestic policy. The noble Duke would believe none of the complaints of distress which the people sent up to him. Like many an old soldier, he shammed deaf when any thing was said to him that was unpleasant to hear. Nothing could be more easy than the science of Government, if governors were determined either not to hear the complaints of the governed, or not to allow them to prove the justice of their complaints when heard. In the first place, the noble Duke directly denied the existence of any distress; but afterwards, abandoning that direct denial, behind which he was as impregnable as behind the lines of Torres Vedras, he admitted that the situation of some of the retail traders was an exception to the general prosperity. That was certainly true; for a petition had been presented from Manchester, signed by almost every retail dealer in the place, stating that the distress was never so great on any former occasion. The noble Duke then talked of the great quantity of business done on the canals. He carefully abstained, however, from saying anything of the present value of the shares; most of which were at a discount of thirty-five per cent. To that the noble Duke added, that wood and meat still produced remunerating prices; the fact being, that wood had fallen a half, and meat five and twenty per cent in one year. After all this it was evident that the noble Duke ought not to meddle with calculation; but that he should content himself with silence, or, like Lord Burleigh, in the "Critic," he should shake his head, and say nothing. The noble Duke, on another occasion, had estimated the number of sovereigns in circulation at 28,000,000. Now there was nothing in the papers before Parliament to justify that estimate. In the year 1828, the Chancellor of the Exchequer had reckoned the number of sovereigns then in circulation at 22,000,000. The returns on the Table proved that since that time there had only been issued 4,800,000, so that at the most there could not be more than 26,800,000 sovereigns in circulation. From this amount, however, must be deducted all the gold which had been paid for the 2,700,000 quarters of corn which had been imported into the country, and then he thought that it would be found that there could not be more than 25,000,000 of sovereigns at present in circulation. The policy of the noble Duke had been arraigned upon more occasions than one; and the manner in which he had recently defended it proved him to be as incompetent for the management of a great nation, as he had admitted himself to be, some years ago, in his place in Parliament. The discoveries which he had made were very surprising, and it might only be right, that for those discoveries we should pay him a larger sum every year than we paid to any other of our public functionaries, his grace's salary being more than the salary of the President of the United States of America. He now came to the Chancellor of the Exchequer. That right hon. Gentleman, in May 1828, had stated, that the one pound notes in circulation amounted to 2,409,000*l.*, on data which he had taken the liberty of impugning at the time, and which every succeeding hour had proved to be more and more incorrect. The right hon. Gentleman had stated, that that sum would be replaced by a small issue of sovereigns, and that, if there was any deficiency left after that issue, the vacuum would be filled up by the increased issue of five pound and of ten pound notes. What was the fact? The issue of sovereigns had been 4,800,000*l.*, or double the amount of what the Chancellor of the Exchequer had expected. That was one error; but how would the right hon. Gentleman answer for his next? Instead of there having been any increase in the issue of five and ten pound notes, the returns on the Table proved that there had been a decrease of them to the amount of 4,000,000*l.* Let the House recollect that 4,000,000*l.* taken in this manner from the circulation, and 6,000,000 of one pound notes, which he contended were also withdrawn from it, made a total of 10,000,000*l.* withdrawn; and to meet that deficiency in the currency, all they had in hand was 4,800,000 sovereigns. Now, was not such a circumstance likely to excite distress? Was it surprising that after such a diminution in the circulating medium, that distress should have occurred? or rather, would it not have been surprising if it had not occurred? He knew that many friends of the Ministers were inclined to exculpate them on the score of ignorance. He was willing to give them the advantage of that plea to a fair extent; but how could they avail themselves of it, after they had seen the havoc which their measures had created in the country? They must have seen that pauperism was overspreading the face of the land, and as soon as they saw that, it was their duty to have retraced the steps which they had so unfortunately taken. Instead of doing so, they had wilfully persisted in their errors; and thus the country had a right to accuse them of tenacity of purpose, rather than of unintentional ignorance. If the alternative of culpable ignorance or of culpable obstinacy were placed before Ministers, allowing them no escape from one or the other, he believed that they would rather choose to lie under the charge of culpable obstinacy than under that of culpable ignorance. The hon. Member then proceeded to remind the House, that last year the Chancellor of the Exchequer had ventured on several very favourable auguries in behalf of the increasing prosperity of the country. He wished the House to see how far facts had supported those favourable auguries. The price of wheat, which had risen considerably about May and June last, in consequence of the anticipation of a bad harvest, had fallen full twenty-five per cent within six months after that anticipation had been fulfilled. But what would have been the case, had there not been a bad harvest, and had the stock in hand been larger than it actually was? Why, the price of wheat would have fallen to 4*s.* 6*d.* a bushel. This rendered the situation of the corn-grower most disastrous; and yet if his situation were bad, that of the grazier and cheese-maker was much worse. The hon. Member, in proof of this assertion, referred to the low prices which various articles of agricultural produce had brought at the great fair of Brough, in the north of England, at various fairs in Warwickshire, and at the fair of Ballinasloe in Ireland. At the latter he said, the price of cattle had fallen 50*s.*, compared with last year. At Weyhill fair the price of sheep fell from 5*s.* to 7*s.* a head; at Dumfries small cattle fell above thirty per cent, and in Warwickshire, the fall in the price of cattle of all kinds had not been less than twenty-five per cent. There were perhaps some Gentlemen present who congratulated themselves upon the benefit which these low prices conferred upon the consumer. It was not, however, any consolation to the farmer to hear that the consumer was benefitted by their ruin, and that their capital was metamorphosed into three per cents for his special profit and emolument. In the last nine months, the price of cheese had fallen thirty per cent. In the county of Chester, there were made upon an average 12,000 tons of cheese every year, so that by this fall of price, a loss of 240,000*l.* was incurred in one county in one year upon a single article alone. After showing that there had been a fall equally great in the price of pigs, poultry, &c., he proceeded to ask the House whether it was not high time, after such a statement, to inquire into the causes of the prevailing distress? During all the time that this confiscation had been going on, the Government papers had gone on, as they were at present continuing, chanting the song of a speedy change for the better, though not exactly with the same reason; for all the change which first took place was always for the worst. They gave their readers regular lectures on the sacred nature of national faith, and on the importance of preserving the stability of contracts; but what reliance could the poor farmer place upon their reasonings, when he saw the fallacy of all the premises on which they rested? He knew that the fund-holders were very liberal in their advice to the landholders to reduce their rents. Now he thought that it was time for the landholders to remind the fundholders that it was their turn to reduce their rents; that any confiscation of property to be just must affect all classes alike; and that in this down-hill race all parties ought to start fair. He admitted, however, that rents must be reduced: it was only humane and politic that they should be; but humanity and policy were not part and parcel of the law of the land, and therefore many landlords still held their tenants to the contracts which by law they were bound to fulfil. Fie on their laws for such a state of things! Their laws—their laws were greatly in fault. This question had suffered much by the landlords not having had the courage to speak out. Their disposition to seek the patronage of the court, and their anxiety to obtain titles and distinctions, and to provide for their families in some branch or other of the public service, had prevented them from speaking out, else they would have risen unanimously to deny the statement of the Minister, that distress at present was only partial. The commercial interest of the country would not speak out for a very different reason. It was sometimes better for a merchant to have his honour suspected than his wealth; and therefore when a Minister applied to a merchant for information respecting the amount of commercial distress, he was almost certain to obtain an answer according to his wishes. The answer which the Minister would receive, in all probability, would be couched in terms like these:—"There is some suffering in the community, but persons of credit are doing well," intimating that he is one of those persons of credit, though, perhaps, at the moment, he is himself on the point of breaking. To show the House the real condition of the mercantile interests of the country, he would mention a few facts which had come to his knowledge. He had been told, that of 100 merchants trading with foreign countries, or preparing goods for the foreign market, established at Birmingham fifteen years ago, only five remained at present, whilst of merchants for the home-market three-fourths of those who were then in business had actually disappeared. Some master-manufacturers, he was informed on good authority, were working at present sixteen hours a day to create a show of business: but he was credibly informed that the country establishments of the same manufacturers were not half-manned. Great errors prevailed, he believed, on this subject in the country—men were afraid to tell the tale of their distress; and hence it was, that so many victims were left in speechless misery, waiting to undergo their fate without making any attempt to avert it. The number of bankruptcies within the last year was 1,677—a number which exceeded that of any other former year, save one. But this number by no means gave an accurate list of failures. There was no return of the number of insolvents: but he had a letter from a manufacturer at Manchester, from which he would read a few extracts, in order to give the House some idea of their amount. He held in his hand a list of the bad debts which that manufacturer had on his books—they were written on a large sheet—they filled five double folio pages, and were merely for the first three months of this year. In this list of bad debts the bankrupt debtors were to those against whom no commission of bankruptcy had issued as one to eleven; and hence he thought that he might safely infer that the list of insolvents was five or six times as numerous as the list of bankrupts. No money now passed between persons engaged in different trades: there was a sort of barter established between them as in times of barbarism. He was informed, that at Bilston the miller and the master-manufacturers made a regular exchange with one another of corn and iron. Last winter four boat-loads of iron were carried about at that place, and deposited at different shops in payment of different commodities. Nor was the practice confined to Staffordshire, Warwickshire, and Wales, where it chiefly prevailed; it had extended over every part of the kingdom. He begged leave to remind the House that every report which had come from the manufacturing districts during the last three years was the same upon this point. These districts were struggling with absolute want. At Coventry alone, a short time ago, a charitable subscription having been raised, there were 12,000 applicants for relief on the first day. Macclesfield was equally distressed. A paper under the mayor's signature stated that there were 8,801 individuals who had no more than 2½*d.* a day. In Drogheda there were 11,000 who had not three-fifths of this sum each. [Some Members said each man had only 2*d.* per week.] At Huddersfield, 13,000 people had been working through the winter at 2½*d.* a day. Leeds, Blackburn, Norwich, and a variety of other places, were all experiencing the greatest misery. There were at these different places at least 30,000 people on the verge of starvation. He had reason to know that at Barnsley, Settle, and Skipton, half the population were maintained out of the Poor-rates. At Barnsley the patience of the people had been at last overcome, and had broken out into actual riot. [The remainder of the hon. Member's speech was rendered almost inaudible from the confusion which prevailed in the House, and also in the gallery, owing to its being extremely over-crowded. The few sentences we could hear were to the following effect:—The change which had been effected in the value of the currency rendered it impossible that the country could fulfil its obligations. Ministers would at length be compelled to retrace their steps, after all the havoc their measures had made. He then, we understood, contended that the distresses of the country were aggravated by the large exports of bullion which were constantly going on. He had stated three years ago, upon the authority of a Minister of Finance in Spain, that the supply of the precious metals would cease as soon as the South American Colonies were independent of the mother country. The Government, therefore, had chosen a wrong period to call in the paper, and to revert to a metallic medium. He objected to depriving the people of the option of paying in gold or silver, and he had to complain of the repeal of the laws against exporting the current coin of the realm. He concluded by moving " That the petitions complaining of distress in various classes of the community be referred to a committee of the whole House, with a view to inquire into and report upon the causes of that distress, and the remedy thereof."

Colonel *Sibthorp* seconded the Motion.

Mr. *Irving* expressed his surprise, that the hon. Mover had not proposed some remedy for the distress which he alleged to exist to such an extraordinary extent. He trusted that he should be enabled before he sat down to show that the hon. Member had somewhat overcharged the colouring of the picture which he had drawn. He collected from the hon. Member's observations, that in his opinion, the general cause of the distressed condition of the country was, the change which had taken place in the currency. At the time that change was proposed, he (Mr. Irving) opposed it, because he foresaw the evils that would result fom it;

but now that the measure had been carried into effect, he would strenuously oppose any attempt to interfere with it. The evil which would attend any such interference was certain,—the good, problematical. The hon. Member had stated that the country was reduced almost to a state of barter. He (Mr. Irving) had experienced nothing of the kind, and if he were called upon to express an opinion on the subject, he would say, that the existing circulation, as it was variously composed, was quite adequate to the wants of the country. What would the hon. Member say if he were to tell him, in illustration of his opinion, that, from the overflowing deposits of the bankers, a sum of not less than 5,000,000 or 6,000,000*l.* of Bank notes was lying unemployed in the Bank? He could assure the House that that was the fact; and to his mind it was an evident proof that there was no want of circulation. The hon. Member had also referred particularly to the state of the metallic circulation. He did not know the precise amount of that circulation, but this he knew, that one of the great difficulties of the Bank of England was, to keep the metallic currency in circulation. They were constantly issuing it, but it returned to them. If any plan could be pointed out by which the metallic circulation could be increased, the Bank would most readily adopt it. The hon. Member had spoken of the diminished production of the gold and silver mines in South America as affecting the supply of this country; but he knew, from the state of the exchanges, that gold was flowing into this country to an amount which was almost inconvenient. With respect to the extreme and increasing distress which the hon. Member spoke of, he would not repeat what he had before stated respecting Leeds, but would read a short paragraph from a letter concerning Manchester, which was written by an individual well known to many Members of the House, and possessing as much information on the subject which he wrote about as any man in the kingdom. The paragraph was to the following effect:—"The hand-looms are better employed than they have been for some years. Wages, though still very low, have been advanced. In the mills a great many more people are employed than at any former period. They all receive good wages, and many high." The writer of the letter then went on to say, in answer to a statement made by the hon. Member for Coventry respecting the silk-trade—"I have paid some attention to the silk-trade, and have reason to believe that the number of persons employed in this trade since 1823, is double that which was employed before. A considerable quantity of silk spun with cotton is now manufactured in Manchester, printed in London, and then exported to France. There is an increasing exportation to Germany, Italy, and North and South America, of this silk and cotton manufacture, in which we excel the French." He believed that the House would hear those details with satisfaction, since they gave reason to hope that the country was not in so depressed a state as had been represented. Although the country had been declared to be in a state of universal ruin, it was clear that the ruin had not extended to Manchester. He could state that the silk trade at Glasgow and Paisley was in nearly the same state as at Manchester. He had likewise been informed that the manufacturers of Coventry had seldom been in a state of greater activity than at the present moment. Of wages he did not speak, because he knew not their amount; but it was impossible that an increased impulse could be given to manufacturers without the labourers obtaining remuneration. The importation of raw cotton had doubled since 1819, and the produce of manufactures had doubled also. At the same time the price of the raw and the manufactured article had decreased one half since that period. It might be alleged that all these transactions were going on without yielding a profit. He doubted that proposition, because persons engaged in any branch of industry would not pursue it to disadvantage for a course of years. Of all branches of industry, none had suffered more than the ship-owners. He believed that he spoke within compass when he said that one half of the value of shipping had been lost. Yet when he looked at the present value of shipping, which was to be collected from the price at which new ships could be built, he did not think the ship-owners was a losing trade. The hon. Member had stated that 2,700,000*l.* had been exported to pay for corn, but if the hon. Member had consulted the state of the exchanges during the period he spoke of, he would have them in our favour, and to say that gold was going out of the country, under such circumstances, was like saying that the Thames was running back to its source. The thing was impossible. We were importing, not exporting, gold at the time the hon. Member spoke of. Such an assertion, and unfortunately the House heard many such, could be made from complete ignorance alone. He believed that the distressed state of the country, as far as it was distressed, resulted from a variety of causes, no one of which was more prominent than unfavourable seasons, which had occasioned, if not a deficiency, bad or inferior crops, which were gathered at an unusually expensive rate. But surely the hon. Member would not say that at the present moment—now that the natural season for labour had arrived—that the agricultural class generally was unemployed. The contrary was the case: agricultural labourers were at present generally well employed. He had lately had occasion to make some inquiry relative to the trade of the city of London during the last two months and a half. The result of that inquiry was, that for two months and a half, ending with the 13th of March, there had been an increase in the deliveries of cotton, as compared with the same period last year, of 32,400 bales, or twenty per cent; in indigo, an article much employed in manufactures, particularly the woollen manufactures, there had been an increase of 49,000lbs. or fifteen per cent; in coffee 500 bags or twenty-seven per cent; and in sugar of 400 hhds. or twenty per cent. Such facts as those might not suit the taste of some gentlemen whose preconceived opinions they would controvert; but he believed that the House generally would hear them with great pleasure. It was well known to the House that almost every country of Europe, America, and even the new States of South America, were encouraging their own manufactures. Russia, with a serf population, with a winter of eight months, and with interest of money at ten per cent, even Russia endeavoured to force forward manufactures. The same might be said of Prussia, of Austria, and of the Netherlands. But it was true that the commodities of this nation, in spite of all opposition, found their way to those countries. In spite of the will of sovereigns and of governments, they were exported to those different parts in no inconsiderable quantities. He would briefly call the attention of the House to the United States of America. Many articles of British manufacture were there charged with a duty of fifteen, twenty-five, and some as high even as fifty-five per cent. Still, in the teeth of all these impediments, we found that our exports in the last year had exceeded those of any former year. He would confidently ask, was this a state of things that authorized the Members of that House to assert that the country was on the verge of ruin? He was firmly of opinion, that there was nothing in its situation to exclude hope, or to create despair. He was not aware that there was any other topic to which it was necessary for him to call the attention of the House. He should merely further observe, that, from all the accounts he had received from Ireland and Scotland, he had every reason to believe that the distress was less prevalent and less severe there than in some parts of England. But, looking fairly to the whole subject, his decided impression was, that the description of the distress as given in his Majesty's Speech was a more correct description than that which had been offered to them by many hon. Gentlemen who appeared to view with feelings of hopeless despondency the situation of the country.

Mr. *Ward* said, he would take that opportunity of explaining the opinion which he had expressed on the first night of their meeting in the present session, because that opinion appeared to have been misunderstood. On that night he had stated, that he was called on to perform a public duty at a period of great difficulty and distress. He did not then say that distress was found only in some places, neither had he asserted that it was universal. He left Gentlemen themselves to decide as to the degree and extent of the distress. He asserted that the distress was of a most extraordinary character—an assertion by which he would still abide; and, if the House would give him leave, he could make it appear plainly why it was, in fact, of an extraordinary character. In 1810 the Berlin and Milan decrees took place, and the distress which followed evidently arose from them. In 1816, the transition from war to peace occasioned distress. In 1819 distress was caused by the alteration in the currency. And the distress of 1826 was created by the panic which preceded it. He had therefore stated that the existing distress was one of a most extraordinary character, because there did not appear any circumstance or feature of the kind which he had enumerated to which it could be traced. He felt it necessary to offer this explanation because his meaning appeared to have been somewhat misunderstood. It was for that purpose chiefly that he had risen, but being upon his legs, the House would perhaps allow him to say a few words on the question then under consideration. The hon. Member for Shaftesbury seemed to be of opinion, that those who argued that there ought to be a reduction of rents took a course which tended to undermine the connexion between landlord and tenant. He could say for himself that he was not one of those who would weaken the ties which bound landlord and tenant; but still no private feeling should prevent him from declaring that the rent of lands must, as it appeared to him, be reduced ere long; and he would, in a very few words, state why he thought so. If his opinions were erroneous, he should like to have it corrected and regulated by the opinions of others. The situation of the landholder and of the manufacturer was not so dissimilar as some persons might imagine. The former derived his subsistence from the land, the latter from the use of his capital. His idea was, that the relation between the landlord and tenant was precisely the same as that between the capitalist and the manufacturer—and as the interest on the money of the capitalist was in proportion to the profit of the manufacturer on his manufactures, so should the rent of the landlord be proportionable to the profit of the tenant on the produce of the land. Such being his opinion, since the interest on money did not exceed half what it was in the time of war (that on Exchequer Bills did not amount to half);—and, since rent had not come down in the same proportion—since it was not reduced by half, he could not support the landed proprietors when they came to that House, and clamoured for relief. He could not consent to maintain the landlord in the rents he enjoyed during the war, when the capitalist was obliged to be content with lower profits. His principal object in rising was, however, to make a few observations on the amount of the currency, on which, as producing the existing distress, so much stress had been laid. In 1828 he applied to the House for some information on that point, and by the account which was then produced he found there had been issued in gold the sum of 22,400,000*l*. From the 1st of May 1828, to the 5th of January 1829, there was a farther issue of gold from the Bank of 4,400,000*l*. From November 1828, to January 1829, an allowance must be made of half a million, on account of sovereigns exported from this country, making a total of 26,800,000*l*. in gold, supposed to be in circulation prior to November. Now, he understood that some further supply of gold from the Bank, through the Mint, little short, he believed, of 2,000,000*l*. sterling, had been added to the amount he had already mentioned. When, along with that, he took 19,000,000*l*. of notes issued by the Bank, and 9,000,000*l*. of notes of country bankers, he should arrive at upwards of 56,000,000*l*. of circulating medium, without including the silver currency. Now, prior to the Bank Restriction Act, there never was a circulating medium to a greater extent than 50,000,000*l*. sterling. They had therefore, at the present time, several millions more in circulation than they had at the former period. It was not the want of a circulating medium which created the present distress, but the absence of that confidence which was essential to the well-being of a country. It therefore appeared to him, that it would be wise in Gentlemen to consider well whether it was prudent, night after night, to make such statements to the people of England as tended still further to create distrust? The hon. Member for Shaftesbury called for an inquiry into the state of the currency, but he could see no use in mixing that subject up with the great and extensive question which he had specifically brought before the House. He was perfectly confident that such an inquiry would do no good. But before he left the subject of the currency he wished to state the views of those who had devoted their minds and labours to that most difficult and interesting question; and he must say, that he agreed with them in thinking that the best thing we could do would be to remain as we were. They had given stability to the currency, and if they departed from that principle now, they would not, perhaps, be able to return to it again. He recollected when, in 1819, this alteration took place, the currency was at that time in a most disgraceful state. No man could then with safety enter into any contract, for he could not tell what he was likely to receive. That was a reason, and a good reason, why some change should be made; and the question was, whether the change which had been effected was the best possible, under all the circumstances of the country? The next point for consideration was, whether they ought to have a double standard? He thought it was most extraordinary, after the simplification of the system of weights and measures a few years ago, to call for a double standard of value. It appeared strange to him that they should be called on to destroy the existing uniformity, which they unquestionably would do if they tolerated two standards. In that case the price of articles would be suspended, like Mahomet's coffin, between the two standards, and could conform to neither. Many persons, he knew, said, "Let us have a silver standard," although such a standard was much worse than gold, being more variable. Then, he would ask, what would be the consequence? Why, a large quantity of gold had been drawn together for the use of the country, which was to be given up to make room for silver. They must, it appeared, according to this doctrine, have recourse to silver that did not exist, instead of using gold that did exist. He would oppose such a project. He did not wish the country to make those sacrifices a second time which had already been encountered in procuring the necessary supply of gold. As the country now had a metallic currency, he thought it most advisable that it should retain that currency unaltered; and, in his opinion, we ought to feel thankful that we had got the better of that which must necessarily, at any time, have been a painful and dangerous operation. Farther, he would say that the distress of the country ought not to be attributed to lowness of prices, but to bad harvests. The price of wheat when Mr. Canning carried his proposition, was 57*s.* 4*d.* a quarter; but the price was considerably higher at present. Therefore it was the scarcity of corn, and not the want of price, to which distress ought to be traced. Another cause of distress was to be found in this circumstance,—that the number of poor had been much increased since the termination of the war. Not less than half a million of persons, who during the war were employed on different establishments, were, since the peace, thrown on the public. Nor ought they to leave out of sight the increase of machinery, and the ease with which, in consequence of steam navigation, the peasantry of Ireland came over here. These things all tended, in a very great degree, to produce distress. One thing in conclusion he wished to impress upon the House, and it was this, that whatever might be their situation, they were, under the influence of prices, beat down by competition, which compelled all persons to share alike in the public burthens. This was what he wished, as all he asked for was, a fair proportion.

Mr. *Sadler* said, he could not avoid alluding to the statement made that evening with respect to the Town of Leeds, by the hon. Member for Bramber. He trusted the House would not be guided by private communications in preference to the statements contained in the document he had that night laid on its Table—a document which had been signed by 1,500 individuals, for the most part heads of families, who complained that they were in a situation of unparalleled distress. He asked the House if they would credit information derived from private sources, declaring that the country was prosperous, when they had daily laid before them petitions from every quarter of the United Kingdom praying for relief from the pressure of misery no longer tolerable? [During the time the hon. Member was speaking considerable confusion prevailed. Mr. Irving stood up, and appeared anxious to speak. The Speaker at length succeeded in restoring order.] Mr. Sadler proceeded. He had said nothing offensive to the hon. Gentleman. He had not impeached his veracity. [Mr. Irving again rose amidst cries of Order!] He was not conscious of having uttered anything offensive to any individual. He thought that private documents ought not to be placed in competition with public petitions. If private communications were to be entitled to such authority, he could draw a letter from his pocket, written by a person for whose respectability he had no doubt the County Members would vouch; and from this letter it would appear, that, in this very Leeds, men were supplying the place of animals, by carrying coals to the towns. He did say, that the statements of individuals should not be suffered to out-face the petitions of the people. It would be most mischievous and most insulting to the petitioners who humbly approached that House. He felt himself called upon to vindicate the veracity of the petitioners, whose distress he had brought under the notice of the House. In the petition he had presented, there were allegations of a peculiar character; and as they would be printed, he begged to call the most serious attention of the House to them. The petitioners complained of having been reduced to a state of the most pitiable distress, and this through no fault upon their part; yet they did not approach the House as paupers—they only besought it to protect their honest industry, that they might, as heretofore, maintain themselves and their families in competence and respectability. To them it was insulting, when they came humbly before the House, to have it stated that the town of Leeds was in a state of prosperity. At that time the wealthy inhabitants of Leeds were endeavouring to preserve from starvation no inconsiderable portion of their industrious townsmen. Their exertions, and the statements of the petition he had presented, were unhappily too much in unison, and 1,500 heads of families had on that very night intrusted him to present to the House a document that came at the very moment to shew the incorrectness of the private information of the hon. Member for Bramber. He could have wished that that touching document had been committed to abler hands, but confided to his he had done his duty in presenting it, and he had only to pray that his Majesty's Ministers and that House would lend a serious ear to its important statements. To him it was most painful to advert to the situation in which the industrious classes—the most numerous and certainly the most useful part of the community—had been placed for many years past; and it was painful to reflect on the manner in which they had been treated, their representations neglected, and their demands of redress treated with contempt. Alterations were made in the policy of the country, that policy under which it had risen to an unexampled pitch of power and prosperity—alterations which were recklessly made, which had the effect of undermining our grandeur, and had gradually reduced the middle and working classes to their present condition. From a state of comparative ease and opulence they had been plunged, he meant all those who lived by their labour, into penury and difficulty. These alterations were followed by depreciation in the price of all commodities, and nobody had derived any advantage from the mischievous change except a small minority, the public servants, who brought it about, and the public creditors. To them he might add those who, being stipendiaries on the country, who derive their incomes for no services, spent abroad or where they pleased, the sums they drew from an overburdened public. There were a few men in the country all-powerful, who had a multitude of reasons for not equally reducing the public expenditure to the general reduction of prices. They had made the country like an extravagant man of rank who, though he had wasted half his revenue, is not permitted to dismiss one servant of his establishments, and is compelled to proceed burthened with useless extravagance and grandeur, towards certain ruin. The only consolation Ministers could find for the country under such circumstances, was to praise, like the flatterers of the ruined victim of extravagance he had alluded to, the generosity of their master in paying to the last farthing all his debts of honour, leaving the tradesman who had supplied his wants to starve or perish in a gaol; so Ministers meant, though they starved the industrious people, to pay the debt of honour they had contracted to the public creditor. Every class of society he repeated except the mere monied capitalist, the fund-holder, and the pensioner, was in a state of extreme suffering, or sinking into such a state, and yet parties interested in believing the contrary, could assert that the country was prosperous, or if the general complaints were too loud for that assertion to gain credit, they could assert and find honest men to believe, that the distress was partial and temporary, confined to spots, and rapidly passing away. He might be disposed to believe, with the hon. Member for Bramber, that, as compared with the winter months there was an improvement, Spring was the seed-time, and if we were to be fed from the produce of our own fields, the agriculturists of England must now be at work. If we were to be clothed by our own manufacturers this was the most favourable season for their toil. He was not so much surprised at the improvement as to find it so trifling, considering the season of the year and the smallness of the various stocks on hand the demand for labour was not urgent. A spring without an increase of business would be like a spring without one bud or one flower. It sometimes happened, however, that the blights of spring were more melancholy to behold than the barrenness of winter, and he was apprehensive that such a blight would visit the spring of our industry. The causes which had produced the winter of our distress continued in operation, and would he was afraid augment that distress which Ministers had ventured only partially to deny. As long as the present policy were persisted in, he should not anticipate much from a returning gleam of prosperity. Though he might be utterly hopeless as to the final result, he must expect some such gleams from the struggles of our industrious people. The Dolphin was radiant in beauty in the hour of death: the retreating surge sometimes threw back a bold wave that almost touched its former height; but when the whole body of the waters was receding, when death had laid its iron hand on the denisen of the deep, a single wave or a single gleam of beauty could not restore life, or carry back the water to the top of the tide. No country ever had its prosperity annihilated at once, and he confessed that he saw in alternations of prosperity and distress only the fearful evidence of a violent struggle to avoid decay. In a few years there had been two or three such, and as they recurred later in time, they became more frequent and more violent. Notwithstanding the exertions and the ingenuity of the people, the Revenue was declining, the resources of the country were diminishing, and the population was discontented; while the advocates of what he might call the new system were deprecating the exertions to overcome our difficulties, and describing them as the results of unfounded and undue speculation. Gleams of prosperity were but exacerbations of the wasting disorder which was preying on the vitals of the country. An inquiry into the causes which had produced this alarming change in its condition was worthy of Parliament. There were some of them which he knew the House would be forbidden to explore, and they were precisely the causes which would probably be more interesting, being the sources of our disease. He was not afraid to meet his opponents on the general question, and it might be best approached by looking at those means of prosperity which still remained unimpaired, because they were beyond the reach of a ruinous policy. Looking then from the particular causes of distress to the general question, he must say, that if he were to contrast England as it was with respect to comforts and the elements of industry with what it had been some few years past, the consequence would be anything but favourable to her state at present. He thought that if the distress of the agricultural, manufacturing, and labouring classes were considered, it would be impossible for any man to draw a conclusion from the comparison, which would be satisfactory either to his head or his heart. And yet this was something strange; it would be allowed on all hands, that their duty should be to take advantage of the favourable circumstances of the country, to husband its resources for the benefit of the people—how then came this horrible visitation of distress? The present generation lived in the same country as their fathers—one of the most beautiful and fertile of the earth—they possessed the same elements of wealth—they possessed the same colonies, encompassing the globe like a belt, and bearing to our shores the produce of every soil and the luxuries of every clime—they had a superabundant capital—a capital that was adequate to drive the trade of the whole world, and, what was still greater and more highly to be prized than capital, they had industry which created all capital,—industry too that for its ingenuity, was unparalleled in the history of nations—and, withal, they possessed these in a period of long and profound peace (for they were assured by the Speech from the Throne that there was not a hostile gale to breathe upon the island); and yet what was it that now prevented them from developing those resources, and plunged them in a state of misery? It could be no trifling deviation from the path of duty. It must have been some fatal error. With respect to the causes which had been assigned for the distress by hon. Gentlemen, they were so numerous that he could hardly recollect them, and it would be amusing to sum up the catalogue, were it not too appalling to be a subject of mirth. It was only five or six years since, if he recollected right, that the Earl of Liverpool had attributed the distress of the country to over-production. This was sufficient for the time—but a few years after, it was said in the House of Lords that the distress proceeded from under production. Again, in 1826, the bankers were to blame—now it is the fashion to say the Irish bog-trotters are in fault. In 1827, we had too dry a season—in 1829, the season was too wet. Under all these conflicting opinions, then, he must still ask what was the cause of the distress? and if a Committee to inquire into it were granted, he, for one, would approach the question with the intention of considering it with truth and accuracy; and if all would consent to do this, it would show the people of England that the House of Commons was anxious to hear, even if it were impossible to redress. He thought, too, that some relief might be afforded—he would not hesitate to assert that a better system of agricultural protection might be established. The more they attended to the great and sustaining pursuit of agriculture the more would they do for the prosperity of the country. But that agriculture we had discouraged, throwing on it the odium of a supposed protection, without affording it a real protection, and we encouraged by our purchases the agriculture of foreigners, enabling them to accumulate a capital that would at some future day be brought to operate against ourselves. Our colonial trade was surrendered also to foreigners, who reaped all its advantages without in any manner contributing to the expenses of our possessions. Free trade, if placed on proper grounds, was undoubtedly a word of precious estimation; but if they were obliged to deal with many who would look only to their own prosperity, we should also take measures to secure ours. If prohibitory duties were imposed in other countries, protection was decidedly necessary in ours, to liberate the people from their distress. Free trade, in fact, as proposed to them, was merely a contemptible delusion. Hon. Members asserted that competition was the soul of trade; so it was; but what competition had they, but that of two men struggling for existence, when the hands of one were tied—of two individuals contending in the race, when one was loaded and borne to the ground? Thus they talked of free trade when there was nothing free, and of competition when there was nothing fair. It was true, if they took those for their councillors who had gained by the general depression and public calamity, they would see nothing more satisfactory than the state of the country; but, if they consulted their own understanding and their own hearts, they would find nothing less so; for, however flourishing might be the condition of the few, the mass of the people were suffering. With respect to the currency, he had to observe, that many misrepresentations had been made as to the views which he and the hon. friends with whom he sat entertained upon the subject; but it was useless for them to explain their principles when the policy of the existing order of things was already decided upon. The Currency was one of those few questions which were never to be considered: it was a sort of political blasphemy to allude to it: on all other matters you might touch, but if you ever ventured to talk of the Currency, you were sure to be forthwith stultified by all those hon. Members who, by some sudden illumination, had been made political economists. Now it appeared to him that the circulating medium was that which represented that property of a country which was perpetually interchanged. It, therefore, came to fix the value of all property whatsoever. If, then, they had not encumbrances of an amount and kind to which it was unnecessary to allude, it would be a matter of little consequence whether this circulating medium were multiplied tenfold, or diminished in the same degree. Thus, for instance, if we had only a few 100,000*l.* in circulation, and the labourer only received 1*d.* a-day, it would be of no consequence, since this penny would provide him with all the necessaries of life. But would any man be bold enough to say that, situated as they were at present, the prosperity of the labouring classes would not be deteriorated by the abstraction of a portion of the circulating medium? He would put the question in another form. Without pretending to know any thing of political economy, he believed he might lay it down, that capital was a remunerating profit on labour; and that debt was an engagement to pay for so much human labour. The circulating medium was the measure of this labour, and consequently, whatever affects that circulating medium, must deteriorate the measure of labour, and so reduce the amount of the labourer's profit or reward. To present this point in another form, he would ask, with respect to the agriculturists, how had the debt been contracted? They engaged to pay fifty millions of bushels of wheat, but from the alteration in the currency they now paid eighty millions of bushels: thus they "kept the word of promise to the ear, and broke it to the sense" and to the heart, of a large portion of the people. Turning, then, to the manufacturer, the question was, whether, since 1819, the value of his property had not diminished nearly one-half? He did all who sat on the benches round him the justice to believe that they wished to pursue the real interests of the country; but they were wofully mistaken, and their measures inevitably made a much larger quantity of labour be given by the great mass of the community, for the same commodities, or to pay the same debt, than would have been given if the circulating medium had not been changed. He did not understand the logic of the Chancellor of the Exchequer, on the subject of *5l.* notes, nor why the issue of a *1l.* note was more an invasion of the King's prerogative than the issue of a *5l.* note. But if a *5l.* note were the lowest denomination to be allowed in 1819, it was not to be forgotten, that at present a *3l.* note represented a larger mass of labour: nevertheless, it was still contended, that no notes below *5l.* ought to be issued. Another point connected with the currency was the endeavour to delude by mystification, and by pretending that the circulation of the country was convertible into gold; paper was, in truth, still the foundation, unless, like some mad architect, it was attempted to place a pyramid upon its apex, instead of its base. He saw no reason why a country should not thrive permanently upon a paper circulating medium. The North American Colonies, very early in their career of independence, had a paper currency exceedingly faulty and depraved, yet they had risen with astonishing rapidity to vast strength, by the multiplication of their inhabitants. He denied that a gold currency was a safeguard against panic; it would instantly disappear when the lower classes began to feel the alarm. On this point he again appealed to history, and asked if, when thousands and tens of thousands were ruined by the South-Sea Bubble, the gold had not disappeared. At the same time, he was no friend to an unlimited issue of paper; he would have it involve a greater degree of responsibility, and those who furnished the notes should furnish this security, without attention to charters and monopolies. He would not detain the House more than a few minutes longer. He would have approached the great question of the currency by annihilating a certain portion of the National Debt, and thus have preserved the equilibrium between funded and landed property; but by the plan that had been pursued—to use a familiar figure—the cart had been put before the horse. Some hon. Members had talked of agricultural activity, but the month of March was the seed time, and then, if ever, the farmers must be busy, unless they meant the whole of their land to lie fallow. In the same way, manufacturers, if they had any work at all, were engaged during the Spring; but, hanging over that Spring, he saw a melancholy and a deadly blight, ready to destroy its blossoms. He admitted that at this moment the country was in a state of comparative ease: but this was only the passing-off of the stream,—the tide of distress would flow again. Highly gifted as he believed Ministers were—competent to their situation as he thought them—and honest as he was persuaded were their intentions—yet he doubted if they associated in themselves all the wisdom of the nation; and they might receive some useful suggestions from other quarters. He begged to hesitate before he concurred in the opinion that the statement made by the Chancellor of the Exchequer of last night would be generally satisfactory, because the relief must be partial; and it would be of little benefit, indeed, to the great mass of the community, who were most intensely suffering. In conclusion, he would state in three words what, in the present state of the country, the House ought to do:—1. It ought to compel a large reduction of taxation—2. A great diminution of expenditure—3. It ought to establish a fuller and sounder circulating medium.

Mr. *Irving* explained, that the letter he had read was not from Leeds, but from Manchester. He had to complain, in the first place, of the rather severe language which the hon. Mover had used towards those who differed from him in opinion. He was a party to no conspiracy to resist the line of policy the hon. Member recommended, or in any manner to oppose inquiry. That line of policy, could he separate his own interests from that of the country, would be to his advantage.

Lord *Howick* wished to explain his reasons for resisting the Motion. He had alluded to cloth manufacture when he said it was brisk at Leeds. The hon. Member, he believed, alluded to manufacturers of stuffs when he said the trade was dull. That was the amount of the difference between them. He did not oppose the Motion because he was insensible to distress, or because he wished to blink inquiry, but because the form of proceeding recommended would be found most inconvenient and ill calculated for the object in view. It was proposed that a Committee of the whole House should enter into all the wide matters connected with agriculture, manufactures, taxation, commerce, and the currency. Great benefit might result from particular investigations before Select Committees, but not from such general examinations before the whole body of the House. Great benefits might result, too, from such inquiries if prosecuted by his Majesty's Ministers, or by individual Members, who might afterwards submit their views to the House. With respect to the policy of his Majesty's Ministers, he thought that their internal policy, and the principles they had adopted in regard to trade, in spite of occasional errors, were entitled to the thanks and approbation of the House. He, therefore, would join in no attempt to cast general censure on them, or to convey an opinion, by a vote of the House, that they were unworthy of confidence. He had a still stronger objection to the manner in which the proposition was brought forward; for, although the hon. Mover had said, that he would recommend no measure, yet currency was the beginning, middle, and end of his speech, and a change in the existing state of things in this respect, was in fact inferred as the rêmedy for all evils. He (Lord Howick) was of opinion that no change in the currency could now be made without a breach of national faith, and great injury to all classes. Amongst the errors and fallacies in the hon. Mover's speech, there was, however, he must admit, a mixture of truth and sense. He agreed with him, and with the hon. Member for Newark, in thinking that our circulation was not securely fixed. He agreed, too, with the hon. Member for Liverpool, that there was a great difference between the diminution of the value of the currency and depreciation. He begged, therefore, to throw out to Ministers, as a suggestion deserving their consideration, that if they would institute an especial inquiry into the state of the currency, it might repress unreasonable hopes and allay groundless fears. An additional reason for such an inquiry was to be found in the necessity of making some amendment of the Banking system; for, although the recent measures tended to erect strong banks, it did not prevent the establishment of weak ones; and the panic of 1826 was, in a great degree, owing to the failure of weak banks. Confidence was as necessary now as then, and if all the holders of paper were at this time to demand gold, it would be impossible to supply them. The consequences of such a state of things at the beginning of a war might be ruinous; the Bank of England would be called upon to supply all the country establishments; and in 1826, the Bank of England was only prevented from stopping payment by the restoration of confidence.

Mr. *Herries* said, he was rejoiced to find, that by the turn the Debate had taken, he was relieved from a great part of the task he had thought he should have been required to go through; the hon. Mover had advanced but few arguments, and fewer facts of importance, and little, therefore, remained for him but to point out the utter inapplicability of the mode of inquiry suggested. The hon. Movèr had refrained from informing any member of the King's Government of the course he intended to pursue, and he had prepared himself for topics he expected to be touched, but to which the hon. Mover had not adverted. It was proposed to institute an inquiry before a Committee of the whole House, into some of the most extended and difficult questions that could be imagined, including the whole policy of the Corn-laws. Such an investigation must be endless, excepting as far as it must end in disappointment. At the same time, he was extremely anxious to avoid any appearance of unwillingness to inquire into the distresses of the country, as far as they really prevailed. If the House were disposed to listen to the minute details which would be necessary for the purpose of establishing the positions for which he felt himself warranted in contending, he was prepared to show that the variations in the currency did by no means suffice to account for the present state of the agricultural, manufacturing, and commercial classes of the country. In order to establish such a position, it would be necessary for him to enter into a more lengthened statement than the House then seemed disposed to attend to. He regretted that that indisposition should exist, for he was anxious to lay those statements before the House, as well out of respect to the very interesting class of the community chiefly concerned in those topics, as from a sense of what was due to his Majesty's Government. But considering the little inclination which the House manifested to exert the patience required for such an investigation as that which he proposed, he meant to confine himself to a comparatively limited view of the subject which the hon. Member opposite had brought under the consideration of the House. But while, for that reason, he abstained from pressing upon the House those arguments to which it seemed so little inclined to attend — requiring, as these arguments confessedly would, support and illustration from a variety of documents—he did feel it absolutely necessary to make a few observations upon the main points which had been brought into discussion. One of these points was the existence and the extent of the distress now made the subject of such general complaint. An hon. Member opposite had objected to the testimony offered by Members of that House as to what fell under their own observations, or came to them from sources of private information, and contended that information of that nature was not to be put in opposition to the statements contained in petitions presented to that House. Now, he confessed, he saw no ground for disparaging the information which was not contained in the petitions on the Table of the House. While, on the one hand, every respect was due to the statement of petitioners—(and he might add, while every respect was paid to those statements,) he did, on the other hand, maintain that the information which hon. Gentlemen might possess, was well worthy of the serious attention and consideration of Parliament, and could not fail to prove on that, as on many occasions, of the highest value and importance; and hon. Members, in communicating that information from the private sources within their reach, were doing no more than their duty—nay, were conferring an important benefit upon the House, and upon the country in whose service it was engaged. He saw no reason why information of that nature should not be considered as useful as any that came through the medium of petitions. He confessed he felt inclined to follow the course of laying before them such information as he possessed, and had acquired from private sources; and he trusted that no attempt would be made to rebut his statements by reference to petitions; for without attempting to impugn the assertions of the petitioners, he must be permitted to say, that his sources of information were quite as authentic. The object with which he then addressed the House was, in the first place, to show, that though distress existed, to some extent, in the manufacturing and agricultural districts, yet he would maintain that the distress was far from universal—far from being any thing like so general as it had been the pleasure of some hon. Members to represent—that in fact, so far from general distress being the prevailing condition of the country, there did exist, in many quarters, much that might be called comparative prosperity. He should recur to the proofs of this assertion with much satisfaction, enabling him, as they would, to answer the objections which had been urged to the so often repeated quotation from the Speech pronounced from the Throne. He (Mr. Herries) was in possession of information as to the state of the country from private sources of the greatest authority, from which he was prepared to show, that those who concluded that the distress in our agricultural and manufacturing districts was general through the country, were greatly mistaken. He was prepared to show that the objections made to the expressions contained in the Speech from the Throne, as being more partial representations of the condition of the country than the facts warranted, were without foundation; and the more this subject was investigated, the more the inquiry was pursued, and the more information was received on it, the more hon. Members would find that the expressions used in that Speech were borne out by the fact. It would hardly be said—[symptoms of impatience being evinced by several hon. Members, the right hon. Gentleman said,] he begged the indulgence of the House for a short time; he was quite sensible that the House was so fully prepared as to the vote they should come to on this subject, that very many Members were unwilling to listen to any arguments opposed to their own conclusions; but he begged the attention of hon. Members for a short time, while he briefly stated the grounds on which he had formed his opinion, that there did not exist that general prevalence of distress in the country which some hon. Members were disposed to believe. In the situation which he had the honour to hold, communications daily reached him with respect to the condition of several important manufacturing and agricultural districts, from parties who had the best opportunities of judging of the facts which they stated, and of coming to the most correct conclusion as to the inferences to be drawn from them. Now he would state to the House the substance of a few of the communications of this sort which had reached him. The first he would refer to came from a gentleman largely engaged in manufactures in the eastern part of Scotland, whose name was sufficient to give validity to his statements. He said, "weaving labour of the best class has not fluctuated much from 1826 to 1830, while the commoner class, which is liable to more variation in the demand, has varied proportionately. As a whole, there has not been a want of employment, either agricultural or manufacturing, for any part of the population on the east coast of Scotland, from the Forth to the north point of Aberdeenshire, which is the manufacturing district, at any period from 1825 to 1830, with some local exceptions in the early part of 1826, immediately after the panic. No statement of the rate of wages per week given, as the earnings vary with age and skill." He had also received communications from Glasgow, which would shew what was the state of that town. A letter, dated the 12th instant, the writer of which was an unquestionable authority, said, "Trade here is gradually improving, the weavers are all employed and, in some cases, an advance of wages has been obtained." He was reading these communications in the presence of many Members, who could state, from their knowledge of that part of the United Kingdom, whether he was misleading the House, and who would set him right if he made any incorrect statements. Another communication from the same quarter said, "I can state that on the western coast of Scotland there is more appearance of improving trade, particularly at Glasgow, within the last year than has been known for many years back." He might state to the House, as he was allowed to do so, the name of the author of this letter; and when he mentioned Mr. Kirkman Finlay, he was sure that the House would need no better authority. That gentleman had also given him information, that the condition of the agriculturist was improving as well as the condition of the manufacturer. He would next proceed to speak of the manufacturing towns further south, but first he would refer to Liverpool, as amply justifying the expressions used in the Speech from the Throne. It was not to be expected that in a place the trade of which was so extensive and various, some depression must not be felt, when any degree of general depression existed. He should be disposed to assert, indeed, that whenever general distress existed among the agricultural and manufacturing classes, it must affect Liverpool seriously; and he should infer, from the absence of distress in Liverpool, that no general distress could exist in the country. He would appeal, then, to the testimony of his right hon. friend, and the gallant General, the Member for that town, to confirm his statement; and he would affirm, in their presence, and in the presence of other Members well acquainted with the fact, that the state of Liverpool was one of considerable improvement. If Liverpool and Glasgow were flourishing—if the east and the west coast of Scotland were not in distress, his Majesty's Ministers were surely entitled to say, that the distress was partial, not universal. To come next to the great manufacturing towns. He would take, for instance, that of Leeds, and on the authority—the best in that town—that of Mr. Gott—he could state, that the rate of wages was higher than it had been for some time past; and the number of men employed had not been diminished. This statement was confirmed by that of Mr. Nevins, who stated, that having been fifty years engaged in the manufacture of fine woollen cloth, and considering the situation of those he employed, he could say that it was never better than at present. There was not, it was true, so much employment for children, as there was not so much doing in coarse yarns, but the employment of men and women continued as good as ever. Mr. Nevins employed 290 men, 87 women, and 57 children. This gentleman added, that the workmen in the woollen manufacture were fully employed. Now another testimony as to the state of Leeds, was found in the answers given to queries sent round by an hon. Member, (Mr. Slaney), who diligently sought for information as to the condition of the people in several parts of the country. Several of those were sent to Leeds; and the thirteenth query was—"To what do you attribute the depression of the working classes at Leeds?" and the answer to it was—"There is no unusual depression amongst the working classes here." There was, he contended, a practical answer to much of the vague declamation in which hon. Members had indulged. He would trouble the House with one extract more, relating to the manufacture of superfine cloths, which cannot be done by a child, on account of the breadth, and consequently on account of the strength necessary to throw the shuttle. From the accounts furnished by Messrs. Hargreaves and Sinat, Leeds, on March 15th, only yesterday, it appeared that the wages of their superfine-cloth-weavers per week were, from 1790 to 1796, 13*s.* to 16*s.*; 1796 to the end of the war 18*s.*; 1815 to 1820, 15*s.* to 16*s.*; 1820 to 1825, 20*s.* 1826 to 1830, 16*s.* to 17*s.* These Gentlemen stated that their workmen had at present as high wages, according to the price of provisions, as ever they paid; but they saved no money, because they indulged in many luxuries. There were few people out of employment in the woollen trade at Leeds. The distress was chiefly amongst the stuff weavers and makers of plaids, a fancy article that has gone out of demand. It was a good trade some time ago, but fashion had banished the article from use. The whole of these communications were made in the present month. The right hon. Gentleman next quoted the testimony of an intelligent banker, derived from an hon. friend of his, a Member, he observed, of the House, with respect to the state of another extensive manufacturing district, which would show that those hon. Members who looked only at the gloomy side of the picture did not correctly represent the actual condition of the country. This communication he would read. Alluding to certain papers inclosed, the writer says, "These statements tend to show, that the national distress has not been universal; and in further corroboration of such opinion, and also, that what distress did exist, is making way for prosperity, I submit to you the following remarks:—The population in the south and west of Staffordshire, and in Birmingham, are generally employed, and exhibit as few symptoms of discontent as ever I recollect to have been shown. I am informed, that at Manchester, on Wednesday last, more goods were sold than have been sold in one week for several years past, and many of them at advanced prices. The factors, (inland merchants) in Birmingham, Wolverhampton, and this town, inform me that in their journey, since Christmas last, they have received money and orders to an extent quite commensurate with former years. This is gratifying, because not only is life and activity infused into our own district, but it brings proof of the favourable state of distant counties. Some of the iron masters are probably carrying on their works to no profit; but, low as the state of that trade is, I incline to the opinion, that it returns a fair interest upon the capital expended, and I imagine it is not the duty of a legislature to create a state of things which shall answer the purpose of every wild and moneyless speculation. Iron is now advancing in price and is in brisk demand; I was at Birmingham yesterday, where every thing exhibited symptoms of cheerful activity; and at every manufactory or shop I visited (and I met with some professed and regular croakers), I was gratified with the admissions, in answer to my queries on the subject, that "trade was pretty good," or "things were improving," &c. &c. The illusion of the present outcry in regard to general distress was, I thought, well shown by one person with whom I conversed, and who had contended against me for its existence. "I must say (said he), that when I ask commercial gentlemen about the state of affairs, the answer generally is, 'why, as to myself, I am pretty well off, but my neighbours make great complaints.' Houses for the reception of artificers and labourers, are, at this time, building to a considerable extent in Birmingham, Wolverhampton, and Walsall; and, I observe, they are, generally speaking, better both in regard to size and comfort than have usually been occupied by such tenants. Other local tests, such as turnpike-tolls, &c. exhibit proofs of increasing traffic."

This communication would satisfy the House, that the condition of the population in the west part of Staffordshire was greatly improved, that they were generally employed, and that there was nothing of discontent amongst them. The business of Birmingham, Wolverhampton, and Walsall, it appeared, was greatly improved; that the manufacturers there had lately got as many orders as in any year for a long time. It was true, that some of the iron-masters worked below a profit, perhaps, but they made as much as the capital they expended; and the legislature could not, by any act, support thriftless speculators. The condition of the workmen themselves, he was pleased to observe, and wished to make the House observe, from the mention made of those buildings, was greatly improved. He would not fatigue the House with longer statements, but he had received several other communications, all showing that the manufacturing interests were not in that depressed state which some hon. Members represented, and that there was a satisfactory prospect of still greater improvement. Having shown this, he would now say one word as to the causes to which hon. Members attributed that which he admitted to constitute the distress of the country—the low price of labour, low profits, and low returns on investment. If hon. Members attributed these to the changes in the currency, he could assure them they were much mistaken. He did not deny that the changes in the character of the currency had produced partial pressure, but he did deny that that pressure was so extensive as had been stated. He would not then open any new views of our currency system, as other more fitting occasions would present themselves, but would content himself with confidently asserting, that the changes in the currency were not the cause of the present distress, and that therefore the remedy should not be sought in retracing our steps in our monetary system. With respect to what had fallen from a noble Lord (Howick) opposite, on the subject of banking, he wished to say, that he concurred with the noble Lord as to the importance of the subject, and willingly admitted that it was well worthy of the consideration of the House, with a view to affording greater facilities to the formation of local banks, than the law at present permitted. It was well known to the House, that though some of the obstacles which the Charter of the Bank of England placed in the way of such establishments had been somewhat relaxed in 1826, many other obstacles must be removed before the banking system of the country could be placed on that broad basis of national advantage and stability which he begged leave to assure the House Ministers were anxious it should rest upon. The right hon. Gentleman repeated, that it was the ardent wish of the Government to place the general banking system of the country on that broad basis; and to effect that as soon as circumstances would permit. Ministers conceived, he said, that the Joint-stock banking system presented advantages to the public beyond those which the private banking could, in the nature of things, afford. There would be, in the first place, a greater security for the holder of the notes issued; and, what was a still greater recommendation, and should be an indispensable condition, such banks could endure, and should be required to give, publicity to the amount of their issues. This publicity was the great recommendatory feature—in fact, the essence—of Joint-stock banks; indeed, he would almost say it was peculiar to such banks, as few private banks could endure, or ought in fairness to be required, to put the public in full possession of all their transactions. The system he should like to see acted upon, would be one similar in kind to that so long in force in Scotland; for he thought none was likely to be equally conducive to the wants, resources, and interests of the country. That system was, in his conviction, the best which Parliament could sanction, and it was that which Ministers wished to see established, and would support, though they could not then take upon themselves to specify the period within which it would be recommended to Parliament, and measures brought forward to ensure its establishment. In conclusion, the right hon. Gentleman said, he should oppose the Motion of the hon. Member, as he conceived it could only tend to keep the public mind in a state of agitation without any counterbalancing advantage. The remedy for the present distress was not in the power of Parliament;—it was to be sought for in the innate energies of the country alone. That distress was not confined to Great Britain—it extended over the commercial world, and arose from causes over which there could not in any state be a legislative control. He would, with permission of the House, read an extract from the report of Mr. Ingram, the Secretary to the Treasury in the United States, in order to show that that gentleman took a similar view of the causes and extent of the present general distress as that entertained by his Majesty's Ministers. To the concluding sentence of Mr. Ingram's report he wished to direct the best attention of the House: "It may not be unprofitable to observe that a total revolution is taking place in many productive employments throughout the civilized world. The improvements in science and arts, no longer interrupted by war, have been directed to other objects, and have so increased the power of production, that the tide of prices which had been long on the flood is now gradually ebbing, even under a depreciated currency. The relative values between labour and product have also changed, but are not yet adjusted. The depression of prices falling unequally on different species of property is ruinous to many, and repugnant to the feelings even of those who do not suffer. It may be long before a proper adjustment of these values removes the evil, and until then the busy world will be agitated by the convulsive struggles of its various interests each to avert from itself, and throw upon others, the impending adversity. The ramifications of these connecting and conflicting operations are so complicated that it may be doubted whether any degree of intelligence, however free from the influence of special interests, could by the exercise of political power materially lessen the evil. The active energies of man, stimulated by necessity, emulation, and the love of wealth, are perhaps the agents most to be relied upon, in maintaining a salutary equilibrium in the various operations of human enterprise." So with his Majesty's Government with respect to the distress which the hon. Member had brought that evening under the consideration of the House. For that distress they looked with confidence to the innate resources of the country for the best and speediest remedy. [*hear, hear*]

Sir *C. Burrell* was anxious that an inquiry should be instituted into the causes and probable remedies of the present condition of the country, but should prefer an impartial select committee to one of the whole House, as proposed by the hon. Member for Shaftesbury. With the view of obtaining a select committee, he should propose, as an Amendment to the hon. Member's Motion, that a "Select Committee be appointed to inquire into the cause of the present Distress, and into the remedies for that Distress."

Alderman *Waithman* seconded the Amendment.

On the question, upon the Amendment being put,

Mr. *Fergusson* rose, to suggest to the House the expediency of not coming to a conclusion on a question of such importance without further discussion. Many hon. Members were, as he knew, anxious to express their opinions on it; but the lateness of the hour precluded them on that occasion, and the subject was, to all intents and purposes, as yet almost untouched. He therefore should propose, "That the further consideration of the Motion before the House be adjourned till Thursday."

The further Debate was accordingly fixed for Thursday next.

Excise Acts.] The Resolutions moved last night by the Chancellor of the Exchequer in the Committee were reported. They were as follows:

1st, "That from the 15th day of March, 1830, there shall be raised, levied, and collected, and paid for, upon every Gallon of Spirits which shall be distilled in England, or which shall on, or after, that day, be found in the stock, or possession, of any distiller in England, or which shall be brought from Scotland, or Ireland, into England, an additional duty of one shilling.

2nd, "That from and after the 15th day of March, 1830, there shall be raised, levied, paid, and collected, upon every Gallon of Spirits which shall be distilled in Scotland or Ireland, or shall, on or after that day, be found in the stock, or possession, of any distiller, or which shall be taken out of warehouse for consumption in Scotland or Ireland respectively, an additional duty of two-pence.

3rd, "That from and after the 5th day of July, 1830, all Duties of Excise on Leather shall cease and determine."

The Resolutions were agreed to, and Bills ordered to be brought in to carry them into effect.

Stamp Duties.] Mr. *Bright* wished to know from the right hon. the Chancellor of the Exchequer when he intended to submit to the House his statement of the tendency and details of his intended bill respecting Stamps. He hoped that time would be afforded between the delivery of that statement, and the forwarding the measure to be founded upon it through its stages, in order that the public, who felt a deep interest in the matter, might have time to express its opinions on its tendency. To make known the substance of his measure would be the more necessary, as no petition could be presented against the bill, it being a money bill, after it was brought in. He trusted, therefore, that the right hon. Gentleman would make known the substance of his intended alterations, that the public might know how to proceed.

The *Chancellor of the Exchequer* said, the object of his intended bill was merely to simplify what was intricate and obscure in the present Stamp-acts. The hon. Member would therefore, he was sure, at once see the inexpediency of departing from the usual practice of the House, by his making a statement like that which the hon. Gentleman had just asked for. He should probably move for a Committee of the whole House, and place a copy of the act in the hands of the Members, as he did not think much information could be obtained by his reading the schedule of Stamp duties.

HOUSE OF LORDS.

Wednesday, March 17.

MINUTES.] Returns were presented, of the per centage at which the several branches of Revenue in India are levied:—Of the Arrears and Balances left annually due, on the land revenue of India: and returns were ordered, on the Motion of the Earl of ROSEBERY, of the amount of duty paid on each sort of foreign Corn, Flour and Meal, entered for home consumption, since July 5th, 1828. The Mutiny Bill, the Marine Mutiny Bill, and the Pensions Bill were read a second time.

Petitions were presented:—By Lord GRANVILLE, from Newcastle under Lyne, against the Truck System:—By the Earl of CLARE from several parishes in Monmouthshire, praying for a revision of the Tithe-laws:—By Lord WHARNCLIFFE from Swaindale, Yorkshire, praying that a duty might be imposed on Foreign Lead imported into this country.

ELLENBOROUGH'S DIVORCE BILL.] The Earl of *Rosslyn* moved that this Bill be read a third time.

The Earl of *Radnor* rose for the purpose of explaining to their Lordships the reasons why he was obliged, but with feelings of pain and regret, to dissent from the Motion. Perhaps he owed some apology to their Lordships for having taken up this business at so late a period, and he should be extremely sorry if inconvenience resulted to any of their Lordships by the course he had felt it his duty to adopt. The fact was this: he was accidentally present at the second reading of the Bill. At that time the thought of offering any opposition to the measure had not entered his mind; as, indeed, it could not, for he repeated that accident alone had led him to the House on the evening to which he had alluded. When he came into the House, witnesses were being examined at the bar preparatory to the second reading of the Bill, and the examination was conducted in a manner which forced itself upon his notice, and he must say, in a manner which surprised him. Still, however, he had no thought of obstructing the progress of the Bill; and when he was asked on that occasion if he wished the evidence to be printed, he answered "No." But, as he before observed, his attention had been attracted by the mode in which the examination was conducted; and, after reflecting on the subject, he came down to the House the next day, and asked to look at the manuscript evidence. The manuscript, he was told, was not ready, and could not be seen till the following day. On the following day he saw it, and the third reading of the Bill was put off until this day. He therefore had been the cause of the delay, and he begged to assure their Lordships that he deeply regretted the accident which brought him to the House on the second reading of the bill; because it had forced upon him the discharge of an extremely painful duty. Still, however, he felt that it was a duty, and ought to be performed. There were many considerations which ought to induce their lordships to make their proceedings in this, and in all similar cases, open, clear, and free from all objection. Disagreeable as it was, in all cases, to interfere between an applicant for divorce and the remedy he sought, that interference became still more disagreeable in the present case where the applicant was a member of that House, and a member of the Government. But if the discharge of the duty were thus rendered more painful, it was at the same time rendered the more imperative from the very same reasons. When the applicant for divorce was a peer of the realm, and high in his Majesty's councils, it became incumbent on the House to see that the proceedings were conducted with the strictest regularity and formality, lest men should suspect it to be possible that the dissolution of the most solemn of all engagements was more easy to those in high stations than to those whose condition was less elevated. It was incumbent upon their Lordships to guard against such a suspicion, and much more incumbent upon them was it to see that there should be no ground for the imputation that their Lordships could be influenced by any other considerations than those of even-handed justice. No one would suppose he meant to insinuate that any of their lordships could be so influenced; but in such a case as this, it was of the highest importance that no objection should be fairly taken to their proceedings, because if those proceedings were in any respect liable to objection, no one could tell to what suspicions that fact might give rise. Now it did appear to him that the proceedings in the present case were liable to objections. There were many parts of the case which required a more rigorous examination than they had yet received. In the present case the alleged adulterer was a foreigner. This, of course, was a misfortune which attached to the case, and not a matter of blame to those who had conducted it; but it ought to be to their Lordships a reason for more careful examination, because it had deprived the proceedings of that important feature which was generally requisite in such cases,—namely, a trial at law. There was another circumstance, too, which made it incumbent upon their Lordships that the evidence in this case should be carefully examined. A counsel had appeared on behalf of Lady Ellenborough in opposition to the Bill; but what had been the conduct of that counsel, who must be supposed to have acted, as all counsel did act, according to the instructions he had received from his client? Why, he firmly believed, and every one of their Lordships who had observed the conduct of Lady Ellenborough's counsel must also believe, that he had been instructed not to offer any *bonâ fide* opposition to the bill. Why, then, had counsel appeared? Why, as he believed, merely as a blind, and to prevent any noble Lords from asking questions of the witnesses, or taking objections, when they saw that the counsel, who should have done this, refrained. He hoped that he was not doing injustice in making these observations, but such was his impression from what he had seen and heard. Counsel was in attendance nominally for Lady Ellenborough; but that counsel did not avail himself of objections that were palpable, and he neglected to sift, by cross-examination, evidence the most loose and unsatisfactory. Could he, then, help believing that Lady Ellenborough did not intend to make a *bonâ fide* opposition? And if she did not, why did counsel appear for her, instead of leaving the case undefended, which was the ordinary course, unless the appearance of counsel were intended, as he believed it to be, as a blind to their Lordships. There were other circumstances connected with the conduct of the case, which, he must say, he thought deserving the serious attention of their lordships. It appeared to him, also, that many parts of the evidence were too vague, too loose, and too unsatisfactory for their Lordships to act upon. The case, their Lordships would recollect, appeared to fail in that part of the evidence which related to the identity of the parties; and in consequence, additional evidence was brought forward on that point. Looking at the whole of the evidence upon this part of the case, he assured their Lordships that, as an honest man, he could not lay his hand upon his heart and say, upon his honour, that he was satisfied with it. Any counsel, he was sure, might have destroyed the case of the applicant on this point, if he had been instructed to make a *bonâ fide* opposition to the Bill. He would not, however, insist upon this point, for it was, in his view of the case, altogether insignificant when compared with another, upon which alone he should be inclined to rest the propriety of his opposition to the further progress of the Bill. The point to which he referred was the conduct of Lord Ellenborough, and he would state at once that he did not think the conduct of his lordship had been such as entitled him to the relief which he sought from that House. He had heard it stated, but not without astonishment, that if two parties were willing to separate, it was unfair and ungenerous in any one to oppose a divorce prayed for by the one and not objected to by the other. It was said to be for the happiness of both parties that, under such circumstances, a separation should take place. It was said, that it was harsh and even cruel, to bind two persons together by indissoluble bonds, when each of them was inclined for separation. Let him, however, remind their lordships, that there were other considerations besides the wishes of the parties, which their lordships were bound not to lose sight of. If a proposition were brought forward to this effect,—namely, that unhappiness of temper, dissimilarity of taste, increasing dislike, from whatever cause, and the like circumstances, should be sufficient ground for divorce between two parties who were mutually inclined to separate,—the introduction of such a proposition would form the proper occasion of discussing and deciding upon its merits. He might have his own opinion upon such a proposition; but whether he had or had not, certainly this was not the time to say one word upon it, for no lawyer would peril his reputation by contending that, as the law now stood, the wish of the parties could be any ground for a divorce. He might, then, dismiss this proposition, since, with its merits or its demerits, their lordships, as judges and as legislators, had nothing to do. To return, then, to the evidence taken in the case before them:—let him recall to the recollection of their lordships the nature of the evidence with respect to the terms of mutual happiness on which Lord and Lady Ellenborough lived together. In his opinion, this part of the evidence again, was most unsatisfactory. Only two witnesses had been called to give evidence on this point. One of them was Mr. Law, the brother of the noble applicant, the other a lady who had been governess to Lady Ellenborough. No doubt it would have been extremely desirable to go out of Lord Ellenborough's family for evidence as to the terms on which the noble Lord and his Lady had lived; but if it were absolutely necessary to go into his Lordship's family for evidence on this point, surely the witness should have been a person who was in the habit of seeing them constantly. But how did the fact stand? Why Mr. Law spoke only of the terms on which they had lived for two years after their marriage; Mr. Law then went abroad, and did not return until the adulterous intercourse had been going on for twelve months. How did Mr. Law find them on his return? Why, Mr. Law said, he found them in the same state of connubial happiness. Then, as to Miss Margaret Steele, the governess, who was the only other witness on this point; she merely said that they lived happily at the period of their union, and that she saw very little of them afterwards. But connected with the evidence of this witness, there was a very remarkable circumstance, which ought by itself to have attracted the attention of their Lordships to the manner in which the case had been conducted. In the proceedings in the Ecclesiastical Courts, this lady stated in her evidence, that Lord and Lady Ellenborough had not cohabited together for some months previous to their separation. Now this fact was not brought out at the bar of their Lordships, although counsel appeared in opposition to the Bill. But was this fact not important? If the conduct of Lord Ellenborough towards his lady were to have any weight with their Lordships, he could hardly conceive a more important fact than this, especially when coupled with other circumstances which bore upon the same point. Let their Lordships consider what the conduct of Lord Ellenborough had been. For twelve months Lady Ellenborough went, in broad day-light, four or five times a-week, into a public street, at an hour when the streets were most frequented,—and that street being in the immediate neighbourhood of her father's house. She went thus openly, without disguise or attempt at concealment, to the house of Prince Schwartzenberg, where she undressed, went to bed, stayed there two or three hours, and then returned home. What was Lord Ellenborough about all that time? Could their Lordships conceive it possible that any man who had the least regard for the honour of his wife,—who placed the slightest value upon the affection of his wife,—could have failed to arrive at the knowledge of such proceedings? Should a man be never with his wife,—should he never trouble himself to inquire where she went,—how she was spending the many hours of the day during which she absented herself from home? If this conduct of Lady Ellenborough did come to the knowledge of his Lordship, there was an end of the case; if it did not, Lord Ellenborough was guilty of the most culpable want of attention towards his lady. He begged their Lordships to recollect what kind of lady this was: she was very young,—only one-and-twenty years of age,—and said to have been extremely beautiful. He had not the honour of being acquainted with the unhappy lady before her fall, and could not, therefore, say how correctly her personal charms had been described, but it was in evidence that she was only twenty-one years of age, and those who had known her described her as a very beautiful woman. Now he would put it to their Lordships whether any man, with that knowledge of the world which Lord Ellenborough must be supposed to possess, ought not to have recollected that, if a young and beautiful woman like this were allowed to go about the town, not only without his protection, but totally unheeded by him, there were thousands who would be ready to take advantage of such negligence on the part of a husband. Surely, then, he was not characterizing his Lordship's conduct too strongly, when he called it gross negligence: but when, in addition to this, it was recollected that for some months Lord Ellenborough had not cohabited with the lady, he must say that he thought his Lordship had been guilty of something worse than negligence. He could not apprehend that any noble Lord would differ from him when he said that such treatment, exercised by a husband towards a beautiful woman of one-and-twenty years of age, was cruel as well as negligent. As he before observed, the conduct of Lord Ellenborough towards his lady was the point upon which he was inclined to rest, though there were many other parts of the case which deserved the attention of their Lordships. If his opinion of Lord Ellenborough's conduct were correct, then he apprehended that he had made out a sufficient justification for the opposition which he had felt it his duty to make to this Bill. In all similar cases, the manner in which the husband had treated his wife had been considered by their Lordships as a material point. Their Lordships had been in the habit of considering it very important to have it proved that the husband's conduct towards his wife had been proper, before they granted him the relief he prayed for. Let him refer, as to an historical fact, to the discussions which took place upon the Bill of Pains and Penalties against the late Queen. This would relieve him from the necessity of referring to private cases. In one of these discussions a right reverend Prelate * had thought that the proof of adultery was the essential point. The right reverend Prelate said,—"There were many instances of bills of divorce having passed that House, though the conduct of the husband was notoriously reprehensible. The essential point was, the proof of adultery, which he considered to be established, and therefore, in a moral, constitutional, and religious point of view, he felt it his duty to support the (divorce) clause." Now, Lord Lauderdale, who followed the reverend prelate in the debate, said * "The reverend prelate who spoke last seemed to think, that, in ordinary cases, if the fact of adultery were proved, they proceeded to grant a divorce without further ceremony. But that House took especial care, in all cases of divorce, that the husband should be liable to examination with respect to his conduct, in order that it might be ascertained whether or not that conduct had been such as to affect his claim. He thought the bill, with the divorce clause in it, highly absurd and inconsistent. It would certainly be injurious to public morals to allow a person guilty of such conduct as had been proved against her Majesty, to remain as Queen,—to be looked up to as the head of society in the country; but was he, by passing the divorce clause, to declare that the King might conduct himself as he pleased, without having the same check on his conduct as a subject?" Here, then, was clearly laid down the doctrine,—and a very fair doctrine he considered it,—that the conduct of the husband was a material point for consideration before their Lordships granted such relief as a Divorce Bill. Upon the propriety or the impropriety of a husband's conduct depended the success or the failure of his claim to such relief. Again, in the same discussion, when another right rev. prelate † quoted that passage from the Gospel of St. Matthew—"He who putteth away his wife for any other cause than adultery, causeth her to commit adultery."—Lord Darnley asked ‡ whether the husband, in the case before them, had not actually put away his wife for another cause, and so made her commit adultery, if she were really guilty of that crime? He might be allowed, he hoped, to ask the same question in this case. Allow him to ask whether, in effect, such had not been the conduct of Lord Ellenborough. He did not mean to say, that the conduct of Lord

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* Bishop of London (Howley) see Hansard's Parl. Deb. 1820, vol. iii. p. 1711.

* See Hansard's Parl. Deb. vol. iii. p. 1712.

† Archbishop of Canterbury, (Sutton) ibid. p. 1710.

‡ Ibid. p. 1712.

Ellenborough might not be explained. It was possible it might,—but his complaint was, that such explanation had not been given to their Lordships. It was neither accounted for why this unfortunate lady had been allowed to run about the town without a protector, nor why Lord Ellenborough had not cohabited with her for some months previous to their separation. There was another point of view in which he thought their Lordships ought to consider this case. He did not mean to say, or to insinuate, that there had been connivance between the parties in the present case: but he was quite sure that if there had been, the parties could not have acted more judiciously, or in a manner more likely to attain the common object they had in view. Suppose two profligate persons—their Lordships would see that his hypothesis required they should be profligate—were to make this agreement between themselves,—"You go your way, and I will go mine: please yourself, and I will please myself;" suppose two such persons agreed to shut their eyes to each other's conduct, and to remain silent, the husband reserving to himself the right of coming here for a divorce, if the lady should happen to prove with child. Did not this supposed case come up precisely to that now before them? He could say nothing about what Lord Ellenborough had done, because he knew nothing of the noble Lord's proceedings; but the history of his lady's transactions was in evidence. She pursued her criminal career for twelve months, and it was not until she proved with child that her husband came forward. Then, again, if such an agreement as he had supposed between two bad people had really been made, who would be selected as the favoured lover? Why a foreigner, of course, for obvious reasons. So the choice had fallen in this case; and the very day after the separation between Lord and Lady Ellenborough took place, which was on the twenty-second of May, Prince Schwartzenberg went out of the country. The prince had not since returned to England, so that it had been impossible to serve him with the regular process, and consequently no trial at law had taken place. There was likewise another very curious fact connected with this part of the case. Though Lord Ellenborough had discovered enough of indiscretion, if not of criminality, in the conduct of Lady Ellenborough, to induce him to insist on a separation, yet it was not until a month after that separation had taken place that he instituted an investigation into the conduct of his lady. Mr. Freshfield had told their Lordships at the bar that it was not until the twentieth of June that he received instructions from Lord Ellenborough, and the separation took place on the twenty-second of May. Now he contended that if any two parties had wished to obtain, by collusion, a divorce *a vinculo matrimonii,* they could not have taken a more effectual course than that which had been adopted in the present case. It did therefore appear to him, that if their Lordships passed this Bill on the evidence before them, they would furnish a precedent in favour of its being a proper rule of action to grant a divorce simply on the ground that proof of adultery on the part of the wife had been brought, and without any reference to what had been the conduct of the husband. Against this he dissented, because the doctrine of that House had hitherto been different. It had always been held by their Lordships, that the conduct of the husband was a material point for consideration, and wisely had it been so held, because every body knew that the conduct of the husband might have amounted to the grossest provocation to infidelity on the part of the wife. That, it was true, was no excuse for the wife; but it was equally true that it materially affected the value of the husband's claim to a divorce. Such was the doctrine of that House; and, taking it to be correct, he rested the justification of his opposition upon the conduct of Lord Ellenborough towards his lady. That conduct had, in his opinion, been highly improper; and unless their Lordships could say that Lord Ellenborough's lady had received at the hands of her husband such treatment as a young and beautiful wife had a right to expect, he confessed he did not see how their Lordships could take any other course than that which he proposed to himself. He had now discharged what he felt to be his duty. It was with unfeigned regret, with deep sorrow, and with the most painful feelings, that he had offered himself to their Lordships' notice in the character of an opponent to this Bill; but it was a bill which he believed in conscience and in justice ought not to pass, and he should feel himself reluctantly compelled to say, "Not Content."

The Earl of *Malmesbury* said, that he rose, with the utmost reluctance, to support the view which his noble friend, if he would allow him to call him so, had taken of this subject. He felt, however, as he trusted all their Lordships felt, that in the discharge of a public duty they must lay aside all feelings of personal consideration, and take with firmness and with impartiality that course which was consistent with equity and justice. He had attended personally during the examination of the witnesses called in support of this Bill, but all their Lordships might be as well acquainted with the evidence as he was, as it had since been printed. With the manner, however, in which the case had been conducted, none but those who had been present could be acquainted. It was true, as the noble Lord had stated, that the case failing as to the identity of the parties, new evidence had been adduced on that point. That new evidence had, he confessed, made a very strong impression on his mind. Let him remind their Lordships that the Bill before them was something more than a divorce, and that, in passing such a bill, their Lordships exercised a dispensing power, placing the applicant in the same state in which he had been before marriage, and absolving parties from the most solemn engagement into which mankind could enter. Deeply impressed with the importance of such measures as these, he had made it his business to inquire how many such Divorce Bills had been passed by their Lordships during the last ten years. And allow him here to observe, that he could not help feeling that nothing was more calculated to injure the morals of that class to which he had the honour to belong, than the belief that Divorce bills were to be procured with anything like facility. Let him beg of their Lordships to recollect that the middle and lower classes were excluded from this species of relief from matrimonial engagements. The expense consequent on the proceeding in such cases shut out all but persons of fortune from the means of instituting them. This of itself formed a distinction not very desirable, between the rich man and the man of no fortune. It was a distinction which ought not to exist. If certain grounds were sufficient for separation *a vinculo matrimonii*, this relief ought to be within the reach of one man as well as of another. The existence of this distinction, however, was of itself a strong and sufficient reason for their Lordships looking at every application like the present with the greatest care and caution. It was from these considerations, and from it having often struck him that Divorce bills had of late largely increased in number, that he had been induced to call for a return of the number of such bills which had passed during the last ten years, from 1820 to 1830. In the first five of those years there had passed six Divorce bills; in the last five years there had passed twenty Divorce bills. In 1820 there was one; 1821 one; 1822 two; 1823 one; 1824 one: total six. In 1825 six; 1826 three; 1827 three; 1828 one; 1829 seven: total twenty. Now, with this increase before them, he must entreat their Lordships to recollect how necessary it was that they should proceed more strictly and more rigidly than ever in examining the claims of parties who came to that House for Divorce bills. The return he had mentioned must prove one of two things; it must mark either increase of profligacy in the higher classes, or it must prove that their Lordships had afforded greater facilities to parties applying for divorces. Their Lordships might not be able to prevent the former evil, but he must be allowed to say, that a heavy responsibility rested with the House if the latter were the cause of the large increase of Divorce bills during the last five years; because profligacy in the upper classes must increase in proportion as their Lordships made divorces more easy of attainment. After the speech of the noble Lord who had just sat down, it would be unnecessary that he should detain their Lordships by again calling their attention to those points of the case which he, as well as the noble Lord, was anxious should not be lost sight of. He was one of those who thought that the evidence, with respect to the terms on which Lord and Lady Ellenborough lived, was extremely unsatisfactory. He thought that Lord Ellenborough might, could, and ought to have shown that he lived happily with his wife during a certain period. The extensive acquaintance which all who moved in such a sphere as that in which Lord and Lady Ellenborough moved must possess, could surely have furnished satisfactory evidence of this point, if such evidence were to be obtained at all. But the only witnesses examined to prove the domestic happiness of the parties were a brother of Lord Ellenborough and Miss Steele, Lady Ellenborough's governess. With respect to Miss Steele, allow him to say that he did not think that a person who had been governess to Lady Ellenborough was the best kind of witness to bring forward in order to prove that Lord and Lady Ellenborough lived happily together. But what else had the governess been called to prove? Why, that Lady Ellenborough admitted to her that Prince Schwartzenberg was the father of the child with which she was then pregnant. He had heard this evidence with disgust; for when the criminality of this unhappy lady might have been, as it was, proved from so many different quarters, why should she be brought here, and be made, through the intervention of her governess, to put in an admission of her crime? He thought this as ill-advised as it was wanton and disgusting. Let him be understood as not meaning to assert that there had been collusion in the present case; but he must observe, that if there had been, the manner in which the case had been conducted, the nature of the evidence, and the want of opposition, where opposition might have so easily been made, were just what one would have suspected to have found in such a concerted affair. Let their Lordships consider for a moment. A husband might say to his wife—"You go and confess all to your governess: she will be examined as a witness, and thus your guilt will be proved beyond the possibility of a doubt." Now, he confessed that he had great objections to this style of evidence; and when the proof of her guilt was established by other means, he did not like to see a person brought forward to increase the strength of evidence, already more than strong enough, by the avowal of the unhappy lady herself. He repeated, that he did not mean to say there had been collusion in this case; but as he always had been, and always should be, on his guard against concert between parties in such matters, he had thought it right to make these observations. Well, then, with the absence of every thing like satisfactory evidence that Lord and Lady Ellenborough lived happily together, there was to be taken into consideration the gross want of attention, for so he must call it, on the part of his Lordship towards his lady. She was allowed to go about the town four or five times a week for a twelvemonth—being absent from home many hours a day, and yet never once attended by her husband. She used no disguise; she carried on her intrigue publicly and openly; and in pursuing such conduct she had almost a right to suppose that her husband must and would know of it if he cared anything about the matter. Was this conduct befitting a husband? What, he would ask, were the cases in which their Lordships were accustomed to grant this relief? Why, cases in which a seducer had clandestinely robbed the husband of his wife's affections, and insidiously led her from the path of virtue into the paths of vice. In such cases their Lordships had thought the husband had a fair claim to be relieved from his engagements with an abandoned woman; but such were almost the only cases in which their Lordships had granted relief. Never, that he knew of, had their Lordships entertained the claim of the husband who, through vice or negligence, had delivered over his wife, unprotected, to the dangers of temptation and seduction. He really could not express to their Lordships the sorrow he felt in coming forward on this occasion; but he conscientiously believed that this was a Bill which ought not to pass, and that he should have been wanting in his duty if he had not risen in his place and said so. It was obvious that the defects which he complained of in the evidence might be supplied, and he thought it the duty of their Lordships to insist upon it being supplied, as they had insisted in a similar case which he recollected the Session before last. Before he sat down, he must advert, for a moment, to the conduct of the parties who had appeared at the bar during the proceedings on this Bill. He must say, that he thought the way in which the defence had been conducted was almost an insult to the House. Far better, far more decent, would it have been if no counsel had appeared for Lady Ellenborough. A counsel of ability might have successfully opposed a bill supported only by such evidence as that which had been adduced, but Lady Ellenborough's counsel attempted no opposition: and it was clear, therefore, what his instructions were. He would detain their Lordships no longer than to say, that he should feel it his duty to say "Not Content."

The Earl of *Rosslyn* said, that he begged leave, in the first place, to say, that if any one insinuated that there had been collusion in the present case, he should most unequivocally repel such insinuation. The principal objection of the two noble Lords was, that the evidence was insufficient with respect to the terms on which Lord and Lady Ellenborough lived. Upon that point he was totally at issue with the noble Lords; and when they objected that a relative of Lord Ellenborough was called, they seemed to forget that the relatives of the parties were almost always called, both in cases there and in cases before juries, to prove the terms on which the parties lived. But the noble Lords had also very strangely forgotten, that besides the evidence of Mr. Law and of Miss Steele, there were the letters of Lady Ellenborough herself, which were worth a hundred witnesses upon such a point. He would beg leave to read them to their Lordships; they were sent by Lady Ellenborough to Lord Ellenborough after the separation:—

"R——[Roehampton], Saturday night.

"Forgive me if I do wrong in writing to you. A note just received from Lady Anson seems to imply that you have expected it. I had begun a letter to you this morning, thanking you from the bottom of my soul for your unbounded kindness in act and manner: it was far more than I deserved, and I am deeply grateful. I again renew all the assurances I gave you last night, that in act I am innocent. I hardly know what or how to write to you. I dare not use the language of affection: you would think it hypocrisy. But though my family naturally wish all should be again as it once was between us, those feelings of honour which I still retain towards you make me still acquiesce in your decision. I continue to think it just and right. I have not been able to speak to them on the subject I confessed to you last night. I have spoken little to-day, but have never for an instant swerved from my own original opinion. I write this to you. If it is possible, for you to keep what I have said from them, do; as they would only set it down as another proof of unkindness on my part. Could you write me a line, through Henry, were it only to tell me your opinion, be assured I should think it right. But, oh! Edward, dear, dear Edward! ought not time, solitude, and change of scene, to be tried by me, to conquer or obliterate sentiments so inimical to our mutual peace? Pray write to me all you think upon the subject—all you wish me to do. I will now answer you candidly, and without a shade of deception. God bless you, dearest Edward. JANET."

"If my aunt has misunderstood any expression, and you did not expect or wish to hear from me personally, forgive me; although I long to tell you how gratefully I feel towards you, yet I confess I should never have ventured to write. Ever yours.

[Envelop subscribed.]

"To the Lord Ellenborough, &c., Connaught Place."

"My dearest Edward,—I know you will believe me when I say I feel myself utterly unequal in writing to you to-day. I cannot thank you for your kindness, but entreat you will not think of making me such an allowance; indeed it is more than I can possibly want. I will send back the green box to-morrow morning.—Ever, ever yours, JANET."

In addition to this there was the evidence of Mr. Law, which, he conceived, was sufficient to bear out that part of the case. If they looked to the other parts of the case, as brought forward at their Lordships' bar, he thought that no negligence could be imputed to the learned counsel who had opened it, and who had called as much evidence as he conceived the case required. It was proved by that evidence that a foreign gentleman went in the middle of the night from his room to the room of Lady Ellenborough, at Brighton, and remained there three hours; so that no doubt could be entertained of the adultery. Then, as to the question of identity, it appeared to him that that identity was sufficiently made out, even if they had not the confession of the lady. It was not to be inferred, because the carriage in which Prince Schwartzenberg went to Croydon was a plain one, that therefore there was a great difficulty in identifying it. Their Lordships had it in proof at least, that it was a yellow carriage,—that it was hired from a particular coachmaster,—that it was driven by a certain post-boy—that it left town on the 6th, and came back on the 7th, of May,—that it carried Prince Schwartzenberg as far as Croydon,—and that the prince directed the driver not to tell his name to the other post-boy. All these circumstances raised the presumption of identity. But then came the subsequent acknowledgment of the lady herself, when in a state of pregnancy, to her governess, which placed the matter beyond all doubt. But the noble Earl, it seemed, would not admit that confession as evidence.

The Earl of *Malmesbury*. There is no precedent for receiving such evidence.

The Earl of *Rosslyn*, in continuation, contended that there were innumerable precedents of the kind in every court in the kingdom. The demeanour of an individual when questioned on any subject that afterwards underwent legal investigation, was always admitted as evidence. As to the fact of the adultery there could be no doubt about it. The groom proved where he was in the habit of driving her ladyship; and the proceedings which took place in Harley-street were watched and described, thus placing the matter beyond question. Then the case resolved itself into a question of collusion. With respect to that, certainly, so far as he attended to the evidence, and he did so from beginning to end, he thought there never was a case in that House which had less appearances that could give rise to the suspicion of collusion than this case had. And, in his opinion, no man who looked fairly at the evidence, could come to any other conclusion. How was Lord Ellenborough situated? When the lady went to her mother's at Roehampton, Lord Ellenbornugh did not believe her to be guilty. She went from that to Ilfracombe, with Miss Steele, and it was then the belief of her family that the parties would come together again, Lord Ellenborough at that time believing in her innocence, which was a very important fact in the case. Before their Lordships proceeded, on general principles, to refuse the relief that was sought for, they ought to weigh well the consequences of such a step. Because, in the first five years to which the noble Earl alluded, there had been six Divorce bills, and in the last five years twenty Divorce bills, were they to come to the conclusion that such facilities were afforded for procuring this species of relief, that people had nothing to do but to come to that House, and, by connivance and collusion, effect a separation? Were they to act upon such a principle, merely because it was just possible that corrupt and fraudulent means might be resorted to? They might as well declare that they would not believe direct evidence on any subject, because perjury had been sometimes committed. Except noble Lords were prepared to state specific facts, on which they could fairly ground a charge of collusion, he conceived it was not fair nor right to assume, or rather to insinuate, its existence. They then came to the allegation of the negligence or ignorance of Lord Ellenborough with respect to the conduct of his wife. Now any person living in this great town must know that it would be absolutely impossible for Lord Ellenborough, situated as he was, to go to the different places which his lady might have frequented. It was made a matter of charge against Lord Ellenborough that he did not go out with his lady. But it ought to be recollected that his Lordship was engaged in public duties which took up the greater part of the morning. He had no reason to distrust her; and was it to be expected that he would abandon his public avocations to watch his young wife, whose conduct was at the time unimpeached? Did not the noble Earl think it possible that Lord Ellenborough, while discharging the duties of his office, might believe that his wife was visiting at her mother's, and feel no apprehension on that account? It was considered as an extraordinary matter that he did not hear the reports which were flying about. But surely it was perfectly well known, that in these cases the husband was generally the last person who heard of his wife's dishonour. Under all these circumstances, he trusted that he should have the concurrence of their Lordships in support of the Motion for the third reading of this Bill.

The Earl of *Malmesbury* wished to explain. He had never said that he disbelieved Mr. Law's evidence. What he said was, that twenty persons might have been selected who could have spoken of the terms on which Lord and Lady Ellenborough lived much better than Mr. Law. That gentleman left England on the 3rd of March, 1827, and did not return till the 29th of March, 1829. Therefore he, for one, did not think that Mr. Law was so competent a witness as many other persons who might have been brought forward. With respect to the letter which had been read, he begged leave to say, that he was present when counsel opened this case; and what did he say with respect to that letter? Why, he stated, that there was a manifest contradiction between it and her subsequent confession. In the letter she declared that she was not criminal to the extent imputed to her; but, in her confession to Miss Steele, she fully admitted her guilt. Now, when he found one fallacy in that letter, why might he not suppose that other parts of it were drawn up to meet a particular purpose? He therefore placed no reliance on that letter.

Lord *Wharncliffe* said, he had paid the utmost attention to the evidence in this case, and it appeared to him that a stronger case of adultery could not be made out. The noble Earl opposite, and the noble Earl behind him, while they opposed the Bill, admitted, that so far as the establishment of the case of adultery went, there could be no doubt on the subject. On what grounds, then, did they refuse that relief which Lord Ellenborough claimed? The first was, because it was not proved that he lived on terms of sufficient harmony with his wife. In his view of these cases, it was not necessary that the domestic happiness of the parties should be proved before their Lordships. In a court of law, indeed, such proof was necessary, and for this plain reason—because there the husband sued for damages, and the amount of damages must depend on the extent of the injury done to him. If, therefore, the plaintiff could not show that he lived on good terms with his wife, his loss would be considered so much the lighter, and the damages would be diminished in proportion; but where he was enabled to prove that his domestic peace and comfort had been destroyed, then, on the same principle, the damages would be enhanced. What, he asked, would be the consequence, if the House were to act on the doctrine laid down by the two noble Earls? He would suppose a woman with a very bad temper, in consequence of which she and her husband lived unpleasantly and uncomfortably together. Was she, therefore, to go into the streets and intrigue with every individual she took a fancy to? And if she did, would the House refuse relief to the husband because he could not prove that he had lived affectionately with her? In this case Lord Ellenborough could not bring the individual who had injured him into a court of law, because he was not in this country. Therefore the terms on which Lord and Lady Ellenborough lived did not appear so fully as would have been the case had a trial taken place. But if proceedings had gone on in a court of law, there was sufficient evidence laid even before their Lordships to ensure damages. They had the evidence of Mr. Law, and they also had the confession of the lady. And, so far from her letter to Lord Ellenborough weakening his Lordship's case, as the noble Earl opposite seemed to contend, it did, in his opinion, strengthen it materially. The other ground on which the two noble Earls had expressed their hostility to the Bill was the apparent neglect of Lord Ellenborough, with respect to certain visits paid by his lady to Prince Schwartzenberg, in Harley-street. Now, he wondered that they should endeavour to fix on Lord Ellenborough a charge of neglect. Was there a single Peer who then heard him who did not know that their wives generally went out about two o'clock in the day, and returned at five? And were they to suspect that in so going out, they were actuated by improper motives? Were they, without any intimation being given of impropriety on the part of their wives, to watch them, or to cause them to be watched? The place, also, to which Lady Ellenborough proceeded, was, of all others, the least likely to excite suspicion. It was in Harley-street that Prince Schwartzenberg resided; but the family of the lady likewise lived there. If Lord Ellenborough asked a question of his servant, as to the absence of his lady, he would be answered that she had gone out to Harley-street; and were they to suppose that Lord Ellenborough could imagine that she had proceeded thither to visit Prince Schwartzenberg? On the 23rd of May his suspicion was first excited, and he spoke to Lady Ellenborough on the subject; but what then occurred between them their Lordships did not know. It appeared that up to that time his Lordship entertained no suspicion that his wife had committed adultery. The consequence was, that he sent her away to her parents. His noble friend said, it was not until the month of June that Lord Ellenborough took any pains to ascertain his wife's guilt, or rather to obtain evidence against her, on which he might act. But it appeared that very considerable difficulty arose in procuring evidence. As to the seeming neglect of Lord Ellenborough, he must be allowed to say, that there was scarcely a man who had any connexion with public life, or who, indeed, had any business to perform, but must necessarily be absent at times from his wife, and he must intrust his honour to her own discretion and her just sense of propriety. There was nothing in Lady Ellenborough's conduct that excited suspicion for a considerable time. If she had been observed about the streets at an unusual hour, it might have created suspicion; but she selected precisely that time when it was common for fashionable people to go abroad. And forming his determination solely from the evidence which had been heard at their

Lordships' bar, he certainly should vote for the third reading of the Bill.

The *Lord Chancellor* felt himself called on to trespass on their Lordships very shortly, while he made a few observations in reply to the objections urged against the Bill by the noble Earl near him, and by the noble Earl opposite. This bill was founded on an allegation of adultery—and it was brought in, in consequence of the fact of adultery having been sufficiently substantiated. That adultery, as had been justly stated by the noble Baron who had just addressed their Lordships, was proved so clearly and unimpeachably, that nobody who had heard the evidence could for a moment doubt the fact. But then it was stated, that it was necessary that the preamble should be proved, or, in other words, that evidence should be given that the adultery had been committed with a particular individual. The noble Lord who spoke early in the debate said, that though he felt no doubt in his mind as to the fact of the adultery having been committed, yet there were points of a doubtful nature connected with the case which ought to have been cleared up. He, however, thought that quite sufficient had been proved to authorize their Lordships to proceed. That which occurred at Brighton had been most clearly and unequivocally established; and he thought, independently of Lady Ellenborough's confidential communication to Miss Steele on that subject, that it was proved, and even beyond a doubt that it was Prince Schwartzenberg who slept with Lady Ellenborough at Brighton: though that fact was confirmed by the private and confidential communication of Lady Ellenborough herself. But he did not wish to rest on that evidence, as to the proof of adultery, particularly as other facts were stated by counsel at their Lordships' bar. Their lordships, he was sure, would agree with him, that the adulterous transactions which took place in Harley-street and Holles-street were distinctly and clearly proved; and on these occasions the identity of the lady, not of Prince Schwartzenberg, was unequivocally substantiated. The evidence placed that matter beyond a doubt, if their Lordships believed the witnesses. Those witnesses spoke of seeing the same lady driven by a particular individual to Prince Schwartzenberg's. That individual was called to their Lordships' bar, and he stated, that he had driven Lady Ellenborough to Harley-street, in a coach of a peculiar kind; and his identity, as the driver, was deposed to by another witness. He would say no farther on this part of the subject, because the noble Earl himself was obliged to admit the identity of the lady. Then it was said, that no evidence was given to show that they lived happily. With respect to this point, he would pass over the evidence of Mr. Law, because he was out of the country from March 1827, to March 1829. But who was the other witness? Why, the individual who had educated Lady Ellenborough, and who continued in habits of the greatest intimacy with her up to the time of her giving her evidence at their Lordships' bar. She stated, that up to the period when this adulterous intercourse was discovered, they were living together on the most harmonious terms. Such was the evidence of Miss Steele. But they were told, and gravely told, that because the ladies of the family were not called to give evidence on this point, that therefore the proof with respect to it was not perfect. Now that was not the issue before their Lordships' House. In a court of law, where damages were sued for, it was necessary to show what degree of affection and harmony had subsisted between the husband and the wife. Therefore that issue was tried; but that was not the case when a party came before their Lordships and sought for a divorce. Then it was insinuated that there was connivance on the part of Lord Ellenborough: but what proof, he demanded, had been given of connivance, at their Lordships' bar? It was shown, that for five or six months this lady was in the habit of going to Harley-street, where, be it observed, her family resided; and because a person had not been appointed to watch her, Lord Ellenborough was therefore accused of conniving at his own dishonour. But in what situation was Lord Ellenborough placed? He was, at the time, an active member of his Majesty's Government; and those who were connected with the Government knew that at that period no person could be more anxiously attentive to the discharge of the duties of his station than Lord Ellenborough was; and unless some hints were thrown out to him—unless some person gave him information on the subject—it was impossible for him to have entertained that suspicion which it was said he ought to have entertained.

Then, it was asserted, that there was collusion in this matter, which appeared from the nature of the evidence at their Lordships' bar. He could not agree to any such assertion. Allusion had been made to a letter addressed by Lady Ellenborough to Lord Ellenborough. To that letter he would call their Lordships' attention; and he did think that every noble Lord would feel, on strictly examining the contents of that letter, that they entirely did away with the imputation of any collusion having been practised. He hoped their Lordships would indulge him while he read that letter; and he was sure that no man who knew the workings of the human heart, who could distinguish between sincere and feigned feeling, could think for a moment that that letter was written for any purpose of collusion in this case. The noble and learned Lord proceeded to contend, that no man who considered that letter calmly and dispassionately could suppose that it was written in consequence of a plan of collusion with Lord Ellenborough. It was written after Lord Ellenborough had discovered the levity of his wife's conduct, but before he was aware of the extent of her criminality. But then it was said, that the declaration in the letter was contrary to what she had confessed to Miss Steele. But where, he demanded, was the force of that argument? It was true that the lady did not confess her guilt to her husband—a circumstance not, as it appeared to him, very unnatural. But when, and to whom, did she make this disclosure? She made it in the hour of privacy and confidence—she made it to her governess, her most intimate friend—she made it after her pregnancy was discovered. It was then she admitted her intimacy with Prince Schwartzenberg. Now, with respect to the supposed collusion, he would briefly state what the conduct of Lord Ellenborough had been. When he separated from his wife in the month of May, and sent her to Roehampton, he did not then think her guilty. He was not apprized of that fact till she arrived at Minton, a month afterwards, when her pregnancy was discovered. What did he then do? In the month of June he applied to his solicitor, Mr. Freshfield, who immediately set about collecting evidence. Whoever knew Mr. Freshfield must be aware of his vigilance, activity, skill, and knowledge, in the discharge of the duties of his profession. Now, if there had been any collusion between these two parties, would not Lady Ellenborough have immediately given decided evidence to Mr. Freshfield, in order to enable him the more readily to effect that object which was prayed for at their Lordships' bar? But what said Mr. Freshfield? He declared that he was a whole month in procuring evidence before he could bring the case into the Ecclesiastical Court with any prospect of success [*hear*]. He would therefore say that this charge of collusion rested on nothing but the bare assertion, or rather insinuation, of the noble Lords. Therefore the adultery not being denied—the identity having been proved in evidence—no charge of connivance having been sustained—and the inference of collusion not having been in any way supported—he entertained a confident hope that the third reading of this bill would be carried by the unanimous vote of their Lordships. [*hear*]

The Earl of *Radnor* said, that it was in vain to hope for a unanimous vote in favour of this Bill; for he certainly should oppose it on the grounds he had stated. He wished to state that he had formed his opinion of the measures solely by the evidence he had heard in that House, and knew nothing of the reports prevailing out of doors. He denied that he had imputed collusion to Lord and Lady Ellenborough; what he said was, that if the parties wished for collusion, they could not have acted in a way more fit for their purpose than they had done. If their Lordships' passed that bill, they would preclude themselves from ever again rejecting similar bills; and he was sure that principle would be contrary to their Lordships' usual course of proceeding. He did not look to have that kind of affection proved at their Lordships' bar which was necessary to entitle a man to relief in a court of justice; but he expected that parties coming there to ask for a divorce should be able to prove that they had done nothing to cause the injury of which they complained. To have that justification of such a demand, a man should at least be able to shew that he had treated his wife with affection, and kindness, and attention. But could there be any affection in the case, when, for twelve months before the parties separated, Lady Ellenborough was in the habit of going two or three times a week to the lodgings of Prince Schwartzenberg, for the purpose of prostituting herself, doing it even in the most indecent manner, often with the blinds of the room drawn up, while she went to bed for several hours during the day? Could there be affection in such a case, and this to be going on for a whole year? These were circumstances which weighed more in his estimation than the testimony of Mr. Law, who had, in fact, seen very little of the parties. As to the letter so frequently alluded to, it contained one palpable falsehood, one hypocritical assumption, at least, and therefore it was rather to be taken as a whole piece of hypocrisy, than, as the noble and learned Lord described it, the effusion of genuine feeling. That letter was written after the lady was three months gone with child by her paramour, and after she had been carrying on an adulterous intercourse with him for a whole year. Moreover, he remembered that the learned Counsel said, on opening the case, that this letter was written with a view of preventing Lord Ellenborough from fighting with Prince Schwartzenberg. It was obviously, therefore, altogether a letter got up for the purpose, and having such an opinion, he could attach no weight to its soothing and flattering expressions of kindness and generosity. He would only allude to one other circumstance. Miss Steele stated, that she had informed Admiral Digby, that the parties did not cohabit together, and that Lord Ellenborough had declared that he would never acknowledge the child as his. In conclusion, he affirmed, that he meant to bring no charge of collusion, but the evidence was not sufficient to justify their Lordships in passing the Bill, and therefore that he could not vote for it.

The *Lord Chancellor* then put the question, "that the Bill be read a third time." There were some cries of "Not Content," but the Lord Chancellor declared that the Contents had it. No division took place, and the Bill was read a third time and passed.

HOUSE OF COMMONS,

Wednesday, March 17.

MINUTES.] Sir EDWARD C. DERING took the Oaths and his Seat for the town of Wexford in Ireland.

PETITIONS were presented, praying for a Revision of the Criminal Code:—By Mr. EGERTON, from the Town Council and Inhabitants of Poole:—By Sir BYAM MARTIN, from Plymouth:—By Mr. SYKES, from Kingston-upon-Hull:—By Mr. RAMSDEN, from the Borough of Maldon:—By Mr. William SMITH, from Norwich:—By Mr. SAUNDERSON, from Colchester, against the Game-laws: By Mr. BIRCH, from John Jepson, of Nottingham, against the power given to the Surveyors of Assessed Taxes:—By Mr. HUME, from Giles Hoad, of Fareham, praying for an equalization of the Duties on Beer and Spirits:—By Sir GEORGE CLERK, from the Brewers of Edinburgh, praying that the East India Company's Charter might not be renewed:—By Colonel LYGON, from Kidderminster:—And by Mr. HAY, from Lanark, praying for a Revision of the laws respecting the passing of Paupers belonging to Ireland, Scotland, Guernsey and Jersey:—By Mr. POTTER MACQUEEN, from the Grand Jury of the County of Bedford, complaining of Distress and praying for Relief, and Reduction of Taxation:—By Mr. SYKES, from Kingston-upon Hull:—By Sir E. KNATCHBULL, from the Inhabitants of Romney Marsh, and from a parish in Kent:—By Mr. WILBRAHAM, from Stockbridge:—By Mr. LAWLEY, from various places in Warwick:—And against an alteration in the Licensing System:—By Mr. CRIPPS, from the Licensed Victuallers of Cirencester.

The Galway Franchise Bill was read a second time.

Returns were presented of all Suits commenced in the Court of Exchequer at Westminster, from 1823 to 1829, wherein the venue was laid in Wales:—Of the average price of Corn in England and Wales, during the last six years.

Returns were ordered, On the Motion of Mr. SPRING RICE, of the amount of Duty received on Coals, each year during the last ten years:—Of the number of gallons of Spirits, which had paid duty in Ireland during the last ten years:—On the Motion of Mr. JONES, of all Suits commenced in the Courts at Westminster, within the last ten years, of which the venue was laid in Wales, and which were sent for trial to Shrewsbury or Hereford:—On the Motion of Mr. Alderman THOMPSON, of all sums paid into the Stamp Office for Duty on Insurance against Fire during the last year:—and of the sums received for Stamps on Marine Policies during the last six years;—And on the Motion of Mr. SLANEY of the number of passengers to and from Ireland by the Liverpool government packets, between 1820 and 1830.

DISTRESS.] Mr. *Sykes* said, he rose to present a Petition from the Gentry, Clergy, Merchants, Bankers, and other inhabitants of Kingston-upon-Hull. The petitioners complained, he said, of the great distress, which they felt most heavily in common with many other parts of the country; and they earnestly prayed the House to institute an inquiry into its causes, with a view of giving them relief. They prayed, and in this part of their prayer he cordially concurred with them, thinking it the only effectual method of giving relief, for a large reduction of taxation. He was convinced that the state of the country made it necessary that the House should attend to this part of their prayer. He felt much indebted to the Government for the reduction already made, but he was convinced that greater reductions must be made, to meet the situation of the country. The petitioners also prayed for a revision of the laws respecting the currency, and in this part of their prayer he could not concur. He believed that the alterations which had been already made had caused a great deal of mischief, but further changes would, in his opinion, be still more detrimental. Looking at what had already taken place, he thought the wisest course would be, to allow the laws respecting the currency to remain as they were.

Petition read, and to be printed.

Mr. *Lockhart*, in presenting a similar Petition from the inhabitants of a parish in the City of Oxford, observed, that in his opinion, much of the distress complained of by the petitioners, and by persons in all parts of the country, arose from a contraction of the currency, which had reduced the value of every species of property. Unfortunately, the contraction caused by the return to a metallic standard had been greatly aggravated by putting down the small notes issued by private bankers. The Government had, perhaps, a right to interfere with a corporation to which it guaranteed exclusive privileges, but it had no right to prohibit the circulation of any private securities which men in business were willing to accept. In his opinion, the putting down of the small notes was as gross a violation of the principles of free trade as any Minister could be guilty of, and the consequences of that measure had been, as he had before predicted, most disastrous. The wide-spread distress which had overwhelmed the land was one of its results. A better system of banking ought to have been introduced at the time, but nothing was done, except to make a slight alteration in the law relative to the Bank of England. At present, a solid system of banking was the great thing that was wanted. We had gone abroad seeking connection and trade, and had so impoverished our own people that they had no longer the means to consume the commodities they were compelled to make. Perhaps it was impossible to go back to the war currency, but to persevere in our present line of conduct was, in the language of Mr. Burke, to be guilty of a most gigantic swindling transaction.

Petition to be printed.

COALS AND TAXATION.] Mr. *Spring Rice*, in rising to move that certain accounts relative to Coals and Spirits be laid on the Table, said, he would take the opportunity, although the Chancellor of the Exchequer was not in his place, of recommending to such of his official colleagues as were, the propriety of abolishing the duty on Coals carried to Ireland. He did not object to the increased tax he proposed to levy on that country, because he admitted that a case had been made out which justified that course, but to continue the duty on Coals, would be against the principles of sound policy. When the right hon. Gentleman was about to levy an additional tax on Ireland of 150,000*l.* it was not too much to ask him to give up 50,000*l.* The tax on Coals was most unequal in its pressure, and had a most mischievous effect in preventing the increase of manufactures in Ireland. It would be for the interest of England, therefore, that the tax should be repealed. More opportunities would be afforded for investing capital in Ireland, — more employment would be found for the people at home, and England would have less reason to complain of the sufferings inflicted on her labourers by the influx of Irish, with which Gentlemen from all parts of the kingdom frequently entertained the House.

Mr. *Hume* said, that he knew no tax which pressed so unequally on the public as the Coal-tax, nor could he conceive on what principle the consumer of Coals in London was taxed at the rate of 6*s.* the chaldron, in Ireland at 1*s.* 8*d.*, in Wales 1*s.*, and in Scotland allowed to have his Coals without paying any tax at all. To him this appeared so unfair that he thought the claim for the removal of the tax altogether could not be refused. He hoped that his hon. friend, or some other Member, would press this subject on the attention of the Chancellor of the Exchequer.

Sir *Christopher Cole* took the same opportunity to express his dislike to the tax, which, as the preceding Members had stated, pressed very unequally on different persons. He thought it extremely unfair, that sea-borne Coals should be subject to this duty, while all Coals carried by land were exempt from it. That occasioned a great hardship in many cases to the poor man, whom the House ought to bear on as lightly as possible. He would, therefore, request that the hon. Member for Limerick would bring the subject under the consideration of the Chancellor of the Exchequer.

Mr. *Wodehouse* also expressed his satisfaction to find this subject taken up warmly by hon. Members, for there was no tax that was more oppressive than the tax on Coals.

Sir *Thomas D. Acland* concurred with other hon. Members, in thinking that this tax ought to be repealed. He knew no tax the removal of which would give greater satisfaction.

Mr. *Liddel* said, that he, too, was determined to unite himself with those who should propose to have this tax repealed. To abolish it, would confer considerable benefit on several classes of the community.

General *Gascoyne* was also of opinion, that no tax was so oppressive as the tax on Coals. It was extremely unjust that a difference of a few miles should make such a difference in this tax; that one man might have his Coals without paying any tax, while the other would have to pay 6*s*. a chaldron. It was to be observed too, that the tax was levied on the Coals where they would naturally cost most. He earnestly hoped, therefore, that the House would co-operate with any Member who should bring forward the subject, and press the Chancellor of the Exchequer to abolish it.

Sir *John Newport* said, he was glad to see so strong a feeling manifested against the Coal-tax, because he was persuaded that to give it up would be of no importance to the Government, on the score of revenue, while the gain to the public would be immense. He had heard the statement of the right hon. Gentleman on Monday with great pleasure, because he was convinced that the abolition of the duty on Beer would be a great benefit to the labouring classes; but since England was to obtain so much relief, and a little additional burthen was to be thrown on Ireland, he should have been happy if the abolition of the Coal-tax in Ireland, which did not yield above 50,000*l*., had formed part of the scheme. He should not object to assimilating the taxes in England and Ireland, but there were two ways of accomplishing it, and he liked only one of them. The assimilation might be brought about by raising the taxes of Ireland to a par with those of England, or by lowering the taxes of England to the level of those raised in Ireland. Unfortunately, of these two ways, the Chancellor of the Exchequer always preferred the former; and, as unhappily, he always preferred the latter. He did not wish to see the taxes in Ireland raised as high as those of England, but should like to see the assimilation accomplished by lowering, as much as possible, the taxes of England. Since the Chancellor had augmented some taxes in Ireland, he hoped that he would now give up the odious tax on Coals.

Mr. *Heathcote* was of opinion, that Ireland, since she was placed on a footing with England as to civil and religious rights, ought to bear her equal burthen of the public expenses. She had no Assessed Taxes to pay, nor any Land-tax, both of which fell heavy on England; and he therefore thought, the Chancellor of the Exchequer had done quite right in increasing, to a small extent, the share Ireland contributed to the general revenue.

Mr. *O'Connell* said, the hon. Member forgot one material circumstance, which made a great difference between the two countries. Ireland paid from 4,000,000*l*. to 7,000,000*l*. in rent, which were spent out of Ireland, and principally in England. If that sum were spent in Ireland, it would increase her capital, encourage her manufactures, and call forth some of those natural advantages which she possessed. Ireland could then be taxed in her own wealth, and the Irish would not object to that; but now she was taxed in her poverty, and to that she had many objections. England, possessing immense resources, had obtained a remission of taxation to the amount of 3,400,000*l*., while Ireland, poor and harassed, instead of any relief except the small relief derived from the repeal of the Leather-tax—and, owing to the poverty of her children, that will not be much—Ireland is to have an additional burthen of 150,000*l*. He hoped, however, that the relative situation of Ireland to England would not long remain as at present.

Colonel *Davies* said, he, like the right hon. Baronet (Sir John Newport), would not assimilate the taxes of the two countries, by raising those of Ireland, but by lowering the taxes of England. If there was a large portion of rent from Ireland spent in this country, let it also be recollected, that England afforded, at all times, a ready market for the produce of Ireland. If it were possible that the ports of the two countries should be hermetically sealed against each other, Ireland would be a great deal worse off than at present.

Motion agreed to.

Scotch and Irish Vagrants.] Mr. *Littleton*, in presenting a Petition from the Grand Jury of the County of Stafford, complaining of the heavy charge incurred by passing Scotch and Irish Poor, said, that the charge had increased from 454*l*. in 1823, to 1,254*l*. in 1828, and to 2,023*l*.

in 1829, and that it was progressively increasing. It was well known that a large number of the Vagrants, particularly the Scotch Vagrants, made a practice of travelling about the country, at other people's expense. After getting passed home, they found their way to Bristol, or some of the southern ports, and then again got passed home, repeating this pleasant excursion seven or eight times a-year, greatly, as he had shewn, to the increase of the expense in the different counties of England.

Truck System.] Petitions, praying that the legislature would take means to put an end to the practice of paying Wages in Goods, were presented by Lord Robert Manners, from Sheepshead, Leicestershire; by Mr. Birch, from certain Mechanics of Nottingham; by Mr. Cripps, from Kingstanley, Gloucestershire; by Lord Sandon, from the Workmen of Burslem; by Mr. Huskisson, from Little Bilton; by Mr. Littleton, from the Magistrates and Master Manufacturers of Dudley, from the Workmen of Dudley; from the Nail-makers and Manufacturers of Hailes-Owen, and from the acting Magistrates of Staffordshire.

Petitions laid on the Table.

Mr. *Littleton* then rose, to make the Motion of which he had given notice, for leave to bring in a Bill, to prohibit the payment of Wages in Goods. He stated, it was the wish of a great number of his constituents that the Truck System should be abolished; but though he was desirous of attending to those wishes, he was so convinced of the evils of this System, that had they not pressed the matter on him he should have been ready to take it up; and representing, as he did, a large manufacturing country, he should have been greatly wanting in his duty had he not endeavoured to find a remedy for evils of which he had been a witness, and of which the whole of the manufacturing districts complained. He believed that upwards of sixty petitions had been presented against the practice of paying wages in goods instead of money, and he had no doubt that before the end of the Session the House would receive a great many more such petitions; they had come from all parts of the country, and he had presented, last night, petitions signed by at least 20,000 persons. These petitions did not come from theorists, but from practical administrators of the law, and merchants engaged in business, who daily witnessed the evils they complained of. The manufacturer who paid in money came and told the House, that if it did not put a stop to the system he must embrace it in his defence, and the workmen and labourers, who were its chief victims, implored the House to protect them against its consequences. The petitions, then, were from all classes of persons who were the best able to judge of this system and its effects. The House was not ignorant that the subject was not then for the first time taken into the consideration of the legislature, which has, in truth, from the time of Edward 4th, declared its opinion on this subject, and endeavoured to put a stop to the practice. But if the House looked at its Acts, they would be found flimsy in construction, and inadequate to meet the increasing evil. They had been, in general, introduced by country gentlemen, who were not acquainted with all the means by which an Act of Parliament might be defeated. He had himself, at the request of a part of his constituents, introduced a bill into Parliament in 1820, which, after much difficulty, was allowed to be passed into a law, on condition that it should expire at the end of one year, if not re-enacted; but, like the others, it was defective, from not giving the magistrates power to summon witnesses, which enabled persons continually to infringe the law, or evade it. After the system had been so repeatedly discussed it was not necessary for him to enter into a description of the Truck System. It would be sufficient to remark, that the shop at which the goods must be bought is generally kept by a servant or relative of the labourer's employer, but always by some one acting in collusion with him. Though it may be notorious that the employer has an interest in the shop, that cannot always be proved. He did not mean absolutely to prohibit masters from keeping shops, but though they did, he would make them pay their men in money, leaving them at liberty to buy of their master or not; and if they had this liberty, they would not buy of him unless he kept as good articles, and sold them at as cheap a rate as other people. If there were no compulsion, there could be no objection to workmen buying at their masters' shops. If both parties were free agents he would desire no more; but in the Truck System one party was not a free agent, but under the complete control of the other. The plan was, for a master to suffer the workman to get into his debt, well knowing that he must afterwards be his slave; he is then obliged to accept any goods his master pleases, on the master's terms, and very often whether he wants them or not. The workmen of the Truck-masters could never obtain money, and such masters made enormous profits. In fact, such masters made so much by their shops that they did not care if they lost something on the articles they made. It was no wonder, therefore, that the price of goods was so much depressed. These masters, only anxious to supplant a rival, or beat an opponent out of the field, accomplished it by taking all kinds of advantages of their workmen. The House, he was sure, could have no idea of the great difference of price between a regular shop and what was called a Tommy-shop, and he would beg leave to lay before the House some documents on the subject. He had collected the prices at various retail shops in comparison with the Tommy-shops, and these he would state to the House, without mentioning the names of parties, though every statement he had to make was derived from some individual case. The prices then were, at the

	Tommy-shop		Market-prices	
Flour, per peck	2*s.*	6*d.*	2*s.*	4*d.*
Bacon, 4lbs.	3	0	2	0
Mutton, 2lbs.	1	0	〃	10
Beef, 2lbs.	〃	11	〃	8
Sugar, 1lb.	〃	9	〃	8
Butter, 1lb.	1	0	〃	9
Tea, 2 ounces	1	0	〃	8
Cheese, 2lbs.	1	6	1	0
Amount	11	8	8	11

At another place, 200 miles distant from where the account he had just read was taken, he found, in the Tommy shops, Bread 1*d.* more than at the bakers,—Candles, worth 6½*d.* per lb., charged 7½*d.* or 8*d.*,—Tea at a profit of from 2*s.* to 3*s.* per lb.,—Butter from 3*d.* to 4*d.* per lb.,—Tobacco at a profit of from 25 per cent.—An article used in their manufactories, which I will not name, 100 per cent.—His informant added, "most articles sold by them are of an inferior quality, particularly the meat, which they get a profit on of from twopence to threepence per pound. Some time since I myself saw a sample of flour sold to a poor mechanic, which resembled more the colour of chocolate than anything else. In short the mechanic can procure anything he, his wife, or family wants,—bonnets, gowns, ribbons, shawls, boots, shoes, hats, caps, a cradle or a coffin; (strange or incredible as it may appear to you) but he must pay for it by his labour, and that dearly, and thus it is thousands of them eke out a miserable existence. The circulation of the current coin is depressed and superseded; for it is notorious that one sovereign has been sufficient to pay from twelve to twenty weavers, when they have succeeded in procuring from their employer a money payment of 1*s.* or 1*s.* 6*d.* each." In this case the Truck-master made a profit of from twenty to thirty per cent. He would then read an extract of a letter from a medical gentleman. "I hope you will not think me intrusive in mentioning a circumstance which has come under my observance within the last week, and I think, as a medical man, I am entitled to make some remarks upon it. I am, at the present time, attending the proprietor of a public bakehouse; on Monday last, when in his room, I observed something upon the table resembling a half-boiled West-India black-pudding, but which he called a loaf of bread; he told me that it had been in the oven five hours, and that, when it was first removed he could take it with a spoon, like treacle; the flour, or rather the pernicious materials of which it was composed, I was told, came from Mr. F—— to one of his unhappy workmen, and his family must either eat that direct poison or starve. Such food as this is the principal cause of those fearful diseases to which the poor classes of society so frequently fall victims." This was no exaggeration he could assure the House. He had seen workmen carrying about tongs, poker and such things, which they had received as their week's wages, to sell in order to buy food. He did not mean to say that none of the manufacturers conducted their business fairly—he knew that some did, but the exceptions did not justify the abuse. He had some other cases to quote which were certified on oath, and, therefore, he could have less hesitation in stating them. The first certificate was from a man who said, "I was discharged from the employ of a Truck-master in February last, in consequence of having exposed some beef which I had forced on me in payment of wages; and further that the said beef, for which I was charged 5*s.* 10½*d.* I sold for 2*s.*, and that, at the time it was forced upon me, I had meat in the house which I had been compelled to take the preceding week, and that the meat sold as above was exhibited in the streets and market-place of Hanley on the 17th day of February last, and afterwards given to the hogs by the person who purchased it from me." Another person said, "I certify that I work under a Truck-master, and that, several weeks since, he forced me to take a silk handkerchief, for which he charged me 6*s.* the same being worth but 2*s.*, and further, that he forced upon me four yards of Irish linen, at 3*s.* per yard—worth but 1*s.* per yard; and four yards of check at 1*s.* 2*d.* per yard—worth but sevenpence; twenty-eight pounds of cheese at 7*d.* per pound, which I afterwards sold at 4¼*d*, and two pounds of bacon at 8*d.* per pound—worth but 6*d.* per pound. I also swear that, for four weeks together, I received but 2*d.* in money from my master, which money I wanted to purchase soap to be used in my work." Another deposed, "I certify that I am in the habit of taking flour, meat, and groceries from my tenants for rent weekly." And another, "I do certify that I am in the habit of making up cloth for workmen in the employ of Truck-masters, and that such cloth, received in lieu of wages, is in all cases, charged much above the market price; in some cases fifty per cent more than its real value, and further, that I have been obliged to take truck in payment of debts owing to me by workmen, at a very great loss to themselves." Another again said, "I do certify that I have been in the service of a Truck-master; and, in the agreement which I made with him, he inserted a clause, that I should not, under any circumstances, take him before a magistrate,—that my average wages were 15*s.* per week, and that out of that sum he forced me to take 8*s.* worth of truck per week, which truck consisted of flour, charged at 3*s.* 4*d.* per stone, the selling-price being 2*s.* 8*d.* Bacon charged 9*d.* per pound—selling at 6*d.* Beef and mutton charged 8*d.*—the market price being 6*d.*; and further, I certify, that having an opportunity of obtaining a better situation, my master refused to set me at liberty, although I had a family of six children, with a wife ill at the time. And further, I do certify, that, on one occasion, his foreman, by the orders of his master, forced upon me, in addition to flour, and other articles, fifteen pounds of bacon at 9*d.* per pound, the whole amount of which he deducted from my wages the Saturday following,—in consequence of which, my family were deprived of proper nourishment."

Another certificate was as follows:—"We, the Assistant Overseers of the poor of the parish, do severally make oath, and say, that there are workmen in the Parish of Stoke-upon-Trent whose masters pay their servants in goods instead of money, who make frequent applications to us for parochial relief; such persons alleging, that it is utterly out of their power to maintain themselves and families without such assistance, in consequence of being paid in the manner aforesaid. And further,—we do make oath and say, that we have had goods produced to us, which have been taken in lieu of money by such workmen, and that such goods have been charged from 100 to 200 per cent above the market price, as we have been informed, and believe."

Another certificate was to the following effect:—"I do certify, that I am in the employ of a Truck-master, and that I have received, in lieu of wages due, what was called wine, and for which I have been charged 4*s.* per bottle. And I do further certify, that my master will not allow me to draw in money more than a specific sum, and that the extra amount of my labour is expected to be taken in truck, which truck has invariably been of inferior quality, and extravagant prices." Another case he would quote, was this,—a master owed a workman 30*s.*, for which, though he wanted money, he gave him a suit of clothes. The man did not want the clothes, and therefore endeavoured to sell them, which he at length did, to the very tailor who had made them, who gave him for them 12*s.* But this suit, which the Truck-master forced the workman to take for 30*s.*, he had bought of the tailor for 15*s.* Another case he would mention was one which came before the Court of King's Bench, in 1823, and was the case of The King *v.* Kaye; in which, an inventory was put in of the articles a workman had been obliged to take in payment, and which could scarcely be matched in a pawnbroker's shop. He would read only a few of the articles.

29lbs. Dutch Butter, at 1*s.* 5½*d.* per lb; sundries, a sum of 1*l*, 8*s.* 2*d*,; 14½ yards of calico, at 1*s.* 4½*d.* per yard; 3 yards linen, at 2*s.* 6*d.* per yard; half piece of ribbon; 4 yards broad cloth, at 26*s.* per yard; 2 do. at 25*s.*; 1 dozen of calico fronts; 5½ yards of cord, at 9*s.* 6*d.* per yard; a hat, at 18*s.* 6*d.*; an umbrella, at 1*l.* 10*s.*; 7 yards print, at 2*s.* 3*d.* per yard; 22 yards of dimity; half a yard of cambric; 10 silk handkerchiefs; 3 scarfs; a scarf; a parasol; 2 metal foreign watches; a tea-chest; 25 yards of linen; 2 bushels of Dutch onions; 7 yards of broad cloth; 2½ do.; 8 yards of cord; a broach; 15 bags. An old rotten mourning pall, consisting of 10 yards of velveteen, and valued at 15*s.*

When such articles were given as wages, it was plain that the man who had to sell them, to provide for the daily wants of his family, must be a great sufferer. He was liable, too, he believed, to the penalties of the Hawker's Act. But if the system were suffered to continue, the law must be altered in many respects. For example, there is a prohibition to sell damaged meat or flour, but no prohibition to give either to workmen for wages, and therefore, the law suffered the iniquitous master to do that which it would not allow the iniquitous shopkeeper to do. Another case to which he would allude, was this:—A man had received no wages for several weeks, but he had been paid in flour, bacon, and beef. The flour he sold to purchase shoes, losing by it 4*d.* per stone. He was in debt for his lodgings, and having no money to pay for them, was obliged to give bacon and beef at a heavy loss. He did not mean to say that every case was as bad as this, but the plan had, in all cases, similar features of oppression, and in all the documents he had seen on the subject, similar instances of fraud were mentioned. The persons principally affected by the system were the workmen, whose hardship he had, perhaps, sufficiently described, the retail dealers, and the master manufacturers. The case of the retail tradesman, though deserving of consideration, was not so urgent as that of the other two. In the Bolton resolutions, however, it was stated that, in that town, there were 500 shops and public-houses, at an annual rental of 20*l.* each, and upwards, and that the owners of these houses could not possibly pay either rent or taxes, unless the wages of the workmen were paid in money. The case of Bolton was, he apprehended, an accurate representation of all the manufacturing towns of the kingdom where the Truck-system prevailed. In all such towns the retail tradesmen were going to decay, gradually retreating from between the all-engrossing capitalist and the dissatisfied populace, both of whom they had hitherto kept from coming into unpleasant contact with each other. The hon. Member for Aberdeen might, perhaps, ask of what consequence it was that the wealth of one class was gradually transferred to another, provided the whole amount was not diminished, he would answer, that it was better, in a moral and political point of view, to have three or four thousand independent men of the middle class, in every town, rather than allow it to be divided between a few engrossing capitalists, and a multitude of dependent and starving workmen. Either the Government must join with him in putting an end to the Truck-system, or it must look forward to that system becoming universal. The masters who now paid in money informed the legislature, by their petitions, that they could not possibly stand out against this system; that, though they had not embarked in it, from honourable motives, expecting that Parliament would put an end to it, yet, in consequence of the reduction of the price of their commodities, partly caused by the Truck-masters obtaining them out of the goods they forced their workmen to take, they found that it would be necessary for them to act on the same plan, or submit to bankruptcy and ruin. If the Truck-master gained fifteen per cent on the goods he forced his workmen to take, that was equivalent to a reduction of fifteen per cent on the cost, and he could afford to sell so much cheaper than the master who paid in money. The Truck-master was therefore enabled to undersell the master who paid in money, whose only remedy was, to lower the wages of his men fifteen per cent. The Truck-master, however, did the same, and thus there was, owing to this system, a continued and forced reduction of prices, which all fell ultimately on the poor labourer, and starved him out of existence. Necessity on the one hand, and avarice on the other, urged them both on in this cruel race, till the poor overloaded animals who carried them sunk exhausted by the fatigue. The hon. Member for Aberdeen would, perhaps, say, let the workman leave the Truck-master; but that was not so easy.

The Truck-master did not begin his exactions till his victim was in his debt, and then it was impossible for him to escape. Besides, the Truck-master was the man who, from underselling the money-paying master, received the most orders; he could employ more hands on his own terms; while the other was obliged to dismiss his workmen, because his low priced-rival would beat him in the market. The continuance of the system would bear down all classes to one grasping, revolutionary equality, and when the spirit of discontent under unjust sufferings was spread through our dense population, it was to be apprehended, that neither property nor life would be safe. The system destroyed, too, all means of determining the value of commodities, by removing the wages of labour, the great element of the calculation. One man paid his labourers in ready cash, but another paid them in goods, on which he obtained a large profit, and for which he did not pay till at the end of three or six months. The hon. Member for Aberdeen had stated, that the distress of the country was the cause of the Truck System, but that system existed during the war, when there was no distress, and when the markets were rising. Those who thought it was owing to the change in our currency were equally mistaken, as was proved by the same fact. The Truck System had originated, and was flourishing, before our return to a metallic currency. Though that might have aggravated its evils, and extended its operation, he must deny that the change in the currency was the cause. He held in his hand an account of the number of iron-masters who had embarked in the Truck System within a certain district, and by that it appeared, that there were only three who had begun since 1825. In this district there were one hundred and sixteen blast furnaces, sixty-six of which belonged to money-paying masters, and fifty to Truck-masters; seventy-one are in blast, and of these thirty-seven belong to the former, and thirty-four to the latter description of masters; there are forty-five, therefore, out of blast, of which thirty belong to money-paying, and fifteen to Truck-masters. The truck men, however, it was added, are beginning to be afraid, and draw back; they begin to pay in money, and most probably will decry their old practices when they can no longer carry them on with safety. This account was, he thought, very instructive, for it shewed that of one hundred and sixteen iron-masters not above three had opened shops since 1825. It also shewed, that of the furnaces out of blast, the greater number belonged to the money-paying masters, who were unequal to sustain a competition with those who paid wages in goods. The Truck System had not arisen, therefore, from the change in the currency, but from the spirit of overreaching avarice and competition, which was unfortunately at all times too prevalent in this country. He knew, also, that at no time were gold and silver more abundant than at present, and any man of good credit had no occasion to want either kind of currency. He had been informed by a respectable constituent of his, who turned over 1,000*l.* in cash weekly, that at present, though that district was formerly the head-quarters of false coiners, that he never thought of examining a single shilling or sovereign. One effect of the Truck System, if allowed to continue, would be to displace the coin of the realm, and substitute for it the truck notes. At present Truck-masters supply their shops with small bills, at three or four months date, which form no small part of the circulating medium of some districts. To any person who should regard the Truck System favourably, as tending to enable us to enter into competition with foreigners, he would remark, that the price of our manufactures must always be regulated by the price of similar manufactures made in the foreign country, and to that price, be it what it may, our manufacturers must at all times accommodate themselves. Our Truck System was not at all necessary as an engine in reducing prices to an equality in all parts of the world. The Bill he proposed to introduce would re-enact the law of 1820; the first clause would prohibit all payments in goods, either directly or indirectly; the second would empower magistrates to compel the production, by persons accused, of their books and papers as evidence; and the third clause would make a very serious addition to the penalties for offences. It was chiefly by supplying the extraordinary omission of all former Acts, in not giving magistrates the power to summon evidences before them, that he looked for the success of his measure. He hoped something, too, from augmenting the penalties, and it was his opinion, that the second offence should be made a misdemeanor. Magistrates who had had the greatest opportunity of observing the workings of the Truck System were of opinion, that these principal clauses would answer the end he proposed; but he had other means of providing against the continuance of the evils he had mentioned. It would be just, he thought, to give a workman the power of voiding a contract with any master who should attempt to force him to receive goods in payment of his wages. He would also take from the owner of a Truck-shop the power of recovering any debts due from their workmen, and he would give to workmen a power to recover their wages in money though they had been paid in truck. It was only by subjecting the master to great inconveniences, and to considerable danger, that he would be compelled to abandon a practice of which he had reaped the profit. One great advantage which would result from allowing the workman to bring his action for his wages would be, he thought, to interest juries and the public in the cause; and if that were the case, he could have no doubt that persons interested would willingly contribute, and form a fund to enable workmen to prosecute their claims and defend their rights. He had been asked, would he compel a manufacturer who imported flour from America to sell that through a factor to a merchant, who might sell it with a profit to a retail dealer, to be sold by him, after making something by it, to the manufacturer's workmen, instead of allowing the manufacturer to sell it to them himself? He had been asked if he meant to deprive a manufacturer of benefitting himself and his workmen by selling them provisions. To both questions he answered in the negative. He meant to take from the manufacturer no right he now possessed. He meant to propose, in this respect, no restrictions not already established by the law. If a master paid his men in money, and they chose, willingly and freely, to lay it out at his shop, the law did not prevent them from doing so. He meant to interfere with the free agency of neither, but to maintain the independence of both. But if the master, holding his workman in thraldom, refused to pay him his wages in money, if he should draw him into his debt, and formally or evasively refuse to pay him for his work, or compel the man to expend his wages in one particular shop, then the law ought, he thought, to interfere and stigmatize and punish the offender. If the competition of business required the master to reduce his men's wages to one shilling, let it be so, but let the workman have that shilling in his pocket. He called on the Gentlemen who heard him, to make the case of the workmen their own. In the name of the suffering and starving mechanics he implored the interposition of Parliament. As the law stood there was no standard of wages but the conscience of the Truck-master, and he must protest against so fearful a license. The law incited men to commit evil, and the hon. Member for Aberdeen's remedy would only leave them a choice of evils. The law could not remain in its present state. It allowed plunder and oppression—it sacrificed the honest master and the industrious workman, and it protected the dishonest manufacturer in making both of them his victims. The workman's strength and his skill were his only property, and in the quiet possession of them the law ought to secure him. The number and the intelligence of our artizans were the main springs of the national wealth—the sources of our pre-eminence among the people of the earth—and if the House desired to preserve the national glory untarnished, the national wealth unimpaired, let it take measures to protect the workmen, and not drive them into foreign countries. The House would consult the best interests of the nation by rendering the mechanic and the manufacturing artizan satisfied with the laws under which he lived. He cordially concurred with his right hon. friend the Member for Liverpool, who said, on the first night of the Session, "that it was by studying to benefit to the utmost the industrious classes, that we could alone lay any solid basis of happiness, or revive the national property;" and thinking that the measure he proposed would tend to benefit the industrious classes, he should move for leave to bring in a Bill to render more effectual the laws requiring Payment of Wages in Money.

Sir *Christopher Cole* seconded the Motion. He thought, he said, that it was their duty to put an end to the truck, and he entirely concurred in all the remarks made by his hon. friend. He spoke, he said, the sentiments of the county which he represented, and which stood high and justly as a manufacturing county. He had already presented a petition on the subject from 3,000 workmen, who did not complain themselves of suffering under the Truck System, but who were apprehensive that it might be extended to them, and for their own sake, as well as for the sake of those who were suffering under it, they with great propriety petitioned against it. The workmen thought truly, that if the system were generally to prevail, that their condition would be as bad as that of the West Indian Negroes, and that they would have no wages, and no subsistence, but what their employer doled out to them. He trusted that the legislature would never permit the poor man to be driven to that extremity, and as far as his power went, he would aid such an object. He never would permit, if he could prevent it, the extension of that genuine English spirit of independence which was one of the best features in our national character. The manufacturers of Merthyr Tydvill wished, he believed, to see their people happy, and he knew that one of them had established schools for the children of his workmen, as well as built houses for their accommodation. He would say no more than that it was his determination to give his hon. friend all the support in his power in carrying the measure to a successful termination.

Mr. *Huskisson* complimented the hon. Member for Staffordshire on the good feeling which prevailed in every part of his speech. With him he agreed, that the House ought to legislate on this subject, but he was not quite prepared to say that the Bill of his hon. friend came fully up to his views. He admitted that the Truck System was a great evil, which ought to be abated, but the interference involved other principles and other considerations which his hon. friend had not taken sufficiently into the account. He would not then argue the question, as his hon. friend, to his regret, had selected a day for introducing the subject which was generally understood not to be a day for debating any question; he would recommend that some more convenient opportunity should be taken to discuss the measure. It involved the contentment and well-being of a portion of the community well entitled to the consideration of the House. He knew that the suffering of those who already endured a great deal would be much aggravated, were the House to allow the value of their labour to be measured by any other standard than that generally adopted by the community as the measure of value. But he must stop, only repeating, th t he trusted the House would not then be pressed into a discussion of the question.

Mr. *Herries* concurred with his right hon. friend, both as to the importance of the subject, and the impropriety of then discussing it; he would recommend that the Bill should be brought in, and the amendment which the hon. Member for Aberdeen meant to propose, might be brought forward on the second reading, which would be a better time for discussing it than this evening. The House had heard from the hon. Gentleman what his object was—that he did not mean to prevent a *bona fide* sale of articles between master and man, but only that system of forced barter of which the workmen complained.

Mr. *Littleton*, Mr. *Hume*, and *Colonel Davies*, each made a few observations on the course of proceeding, when it was agreed that the debate should stand adjourned to the next day.

Mr. *Davies Gilbert* said, he agreed with Mr. Hume in his opposition to the Bill, which he thought instead of being an advantage would be sure to operate to the prejudice of the workmen. Wishing as well to them as any Gentleman of that House, he should, on that account, feel it his duty to oppose the Bill, because he thought it would militate against the object the hon. Member had in view.

The further debate on the subject was then adjourned till the next day.

HOUSE OF LORDS,

Thursday, March 18.

MINUTES.] Returns presented. Accounts of the Profit or Loss on the Trade of the East India Company between Europe and India, &c. during the last ten years:—Of the Sales of the East India Company from the year 1822, describing the Quantities and Qualities of the Teas:—Of the Rate of Freight per Ton paid by the Company from China, on the average, since 1822:—Of the Quantity of Tea exported by the Company from Canton since 1822:—and of the Expense of the Company's Establishment at Canton since 1822:—Of the Quantities of Wheat entered for Home Consumption under the Act Geo. IV. c. 60, with the amount of Duty.

Petitions were presented—By the Earl of SHAFTESBURY, from the Counties of Chester and Lancaster, against the East India Monopoly:—By Earl FITZWILLIAM, from the Borough of Malton, Yorkshire, praying for a revision of the Criminal Code:—By the Earl of FALMOUTH, from Truro, against inflicting the punishment of Death for Forgery:—By Lord KING, from Kingston-upon-Hull, against the infliction of Capital Punishment for offences against Property:—By Lord WHARNCLIFFE, from Selby, Yorkshire, against the East India Monopoly:—By the Earl of MORLEY from Plymouth, praying for a revision of the Criminal Code:—

By the Marquis of BUTE, from Glasgow, against the East India Monopoly.

The Mutiny Bills, and the Pensions' Duties, &c. Bill, went through a Committee.

NATIONAL DISTRESS.] The Duke of *Richmond* presented Petitions from Barnes, and two other places in Surrey, praying for the repeal of the Malt Tax; from three hundreds of Newport, Bucks, complaining of Distress, and praying for relief; and from Spilsby, Lincolnshire, complaining of Agricultural Distress, and particularly of the Wool Laws.

The Marquis of *Lansdown* presented a Petition from Dursley, Gloucestershire, complaining of Distress, and praying for relief. Also a similar Petition from Frome, Somersetshire, pointing out the opening of the trade with India as one of the means of relief.

The Earl of *Caernarvon* presented a Petition to the same effect from the merchants and manufacturers of Manchester, assembled at a public meeting. This Petition was signed by 10,000 persons; and the reason the number of signatures was so limited was, that the petitioners were anxious to send it up in time to be presented before the Noble Duke (Richmond) made the Motion, the notice of which stood on their Lordships' Table for discussion this night. It was placed in his hands the day before the first notice of this Motion was given. The petitioners set forth what they conceived to be the causes of the present distresses of the country, and also suggested what appeared to them to be the most appropriate remedies. Two remedies had been suggested —one was the opening of the trade to China, and another was the reduction of taxation to that state in which it stood in the year 1791. They complained of the keeping up an enormous standing army, which swallowed up so much of the revenue of the country, and prayed for a reduction of the taxes in that respect, and also for a reduction in the salaries and allowances of public officers, and generally in the amount of expenditure of every description. The great, enormous, and unnecessary load of taxation they represented as the main cause of their grievances, and they contended, that after all the reductions which had been made, there were many articles in which a great reduction of duties might still be made, and great relief given; and they instanced particularly those cases in which the amount of the duties exceeded the price of the commodities. The duties on tobacco and sugar, for instance, might be reduced, and that, too, without much, if any loss to the revenue; for the increased consumption would probably keep the revenue as high as before. There was one circumstance connected with this Petition to which he was desirous particularly to call the attention of the House, and that was, that it did not contain a word of angry complaint and invective, nor did it recommend unions of men for purposes which had a tendency to produce revolutions and the subversion of the laws. This was a remarkable feature in the petition, considering that it came from such a populous place and at a time of such general distress; and it certainly recommended the case of the petitioners to the favourable attention of the House.—Petition read.

STATE OF THE LABOURING CLASSES.] The Duke of *Richmond* said, that he rose for the purpose of calling the attention of their Lordships to a Motion of which he had given notice. In doing so, he must confess that he could not avoid looking with great apprehension at the task he had undertaken,—not because he entertained any doubt of the propriety, nay, of the absolute necessity of the inquiry he meant to propose, but because he was fully sensible of his own want of ability, of his own want of experience, and of his own want of information, to cope with a question of so much importance, and of so great extent,—a question worthy to engage the splendid talents and the great acquirements of many of the noble Lords whom he saw around him, and whose assistance and support he trusted he should receive on the present occasion. The Motion he should have the honour to submit to their Lordships was, "that a Select Committee be appointed to inquire into the internal state of the country, so far as it related to the condition of the working classes, and to the effect of taxation on productive industry." In order to entitle himself to call upon their Lordships to give their support to this Motion, it would be necessary that he should prove that there was something peculiar,—something which, while it was productive of present mischief, was pregnant also with future calamity, in the condition of that portion of his Majesty's subjects to which his Motion related. Many cases of severe distress—many cases of miserable suffering, both in the agricultural and in the commercial districts of the country,—had been brought under the notice of their Lordships during the present Session of Parliament; but as those cases, which he considered to be more than sufficient to make it imperative upon their Lordships to grant an investigation into the causes of these calamities, had totally failed to move them to give that substantial proof of the compassion which he had no doubt they all felt, he could not help seeing that the difficulties of the task he had undertaken were thereby materially increased. This difficulty again became the more embarrassing, from the circumstance that, in all the discussions which had taken place, he had not been able to discover what exact measure of distress it was, which his Majesty's Ministers and the House conceived would justify them in instituting an inquiry into its causes. Under these circumstances, he was sorry to say that he felt it necessary to trouble their Lordships with what he was afraid they would find a tedious, as he was sure it must be a painful statement of that misery and degradation into which the labouring classes were sunk; and which, as it had been ably stated by a noble Earl opposite, threatened the breaking up of the very foundations of society. The very day after he had given notice of the Motion to which he was then calling the attention of their Lordships, he had sent to a number of parishes in order to procure information respecting the number of persons who had been out of employment from 1826 to the present time. He had received forty answers to his inquiries, and by those answers it appeared, that in no one case were there a less number of persons receiving parish relief now than in 1826. Their Lordships would recollect that the year 1826 was the year immediately succeeding the year of panic,—a year in which the country was supposed to be at low-water mark; but the fact was, as their Lordships would see, that we had been gradually sinking lower and lower since that period. He would begin his statement by calling their Lordships' attention to a parish in Sussex, which he had selected because it was mentioned in the Emigration Report of 1827. In that parish the money paid for the relief of the poor in 1826, amounted to 2,314*l.*; in 1829 it amounted to 2,960*l.*; and before the Emigration Committee, the rental of this parish, in 1827, was estimated at 2,599*l.*,—so that the Poor-rates in 1829 amounted to nearly 400*l.* more than the rent in 1827. He had also selected seventeen principal towns in eight counties, and he begged to call the attention of their Lordships to the average number of paupers in them at the respective periods he had mentioned. At Andover, in 1826 there were in the workhouse sixty-two paupers, in 1830 there were seventy; out of the workhouse there were 310 in 1826, and 430 in 1830, the number casually relieved in 1826 was forty; in 1830 the number was 117; the number of paupers not included above was fifty in 1826, and 112 in 1830. At Bradford the following was the proportion:—

	1826.	1830.
In the workhouse	95	140
Out-door paupers	326	400
Casually relieved	170	226
At Coventry the proportion was—		
In the workhouse	171	458
Out-door paupers	605	620
Casually relieved	446	1,395
Not before included	40	160
At Congleton the proportion was—		
In the workhouse	41	62
Out-door paupers	125	158
Casually relieved	150	179*

At Huddersfield the proportion was 66 and 128, with 174 and 209; and so it went on till they came to Leeds. Before he spoke of Leeds, to which he wished particularly to call their Lordships' attention, let him observe, that it had been stated by one of his Majesty's Ministers (Mr. Herries) elsewhere, in a speech which somehow or other had found its way into the papers, that Leeds was in a most flourishing condition. The right hon. Gentleman he alluded to had been so informed, it appeared, by Mr. Gott, who was an old friend of his on the Wool-committee; and therefore he knew what reliance to place on his testimony; but their Lordships should judge for themselves of the correctness of his information. The document he meant to quote from was, an official return signed by the clerk to the township of Leeds, and according to it, the following were the numbers of paupers in the two years at Leeds:

	1826.	1830.
In the workhouse	156	220
Out-door paupers	900	1,010
Casually relieved	700	1,230

Such, then, was the state of a town which was described as being in a flourishing condition, and such were the statements on which his Majesty's Ministers believed that distress was not general. In Manchester, again, which, according to another statement of the same right hon. Gentleman, was in a flourishing condition, the pauper account ran thus—and this account was also official, being signed by the overseer of the township.

	1826.	1830.
In the workhouse	547 ..	598
Casually relieved ...	2,706 .	3,359

If these towns, in which there had been such increase of poor since 1826, could be said to be flourishing, notwithstanding this vast increase of pauperism, what must be the abject misery of those parts in which all agreed that distress did exist,—of those parts where the admitted partial distress prevailed? How the Ministers could get rid of the facts he had brought forward,—how they could persuade their Lordships, in spite of those facts, that the country was not distressed,—he could not imagine, unless the speculations of Mr. Gott were thought better than the returns of the overseers of the parishes which he had mentioned. Not to detain their Lordships by reading all the returns he had before him, he would content himself with stating, that the total weekly average of poor relieved in all these towns amounted to 2,906 in 1826, and to 3,656 in 1830. He would beg leave, however, to refer their Lordships to another return concerning the township of Hurdsfield, adjoining Macclesfield, in the county of Chester, in which the Poor-rates collected in the year ending March 1821, amounted to 140*l.* while the amount for the year ending at March 1830, was 711*l.* The gentleman who signed the return stated, that since 1826 some portion of the wages had been paid out of the Poor-rates to enable the manufacturer to keep his ground in the home market. He added, that 150 cottages were unoccupied, and seven factories of different sizes had stopped work. But if his Majesty's Ministers thought the distress of the distant town doubtful and not worth inquiring into, they could not be ignorant of the distress which prevailed in London. Moreover, to shew this, which was not difficult, he had brought together some facts. He had applied to the Mendicity Society for information, and he found, that the number relieved by that Society in the two first months of the year was 3,207 in 1826,

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* The following is the Official Return from which the noble Duke quoted the facts mentioned in his speech.

A Comparative Summary of the Average Number of Poor weekly relieved in the two periods 1826 and 1830, in the Towns of Andover, Birmingham, Bradford, Coventry, Congleton, Huddersfield, Leeds, Manchester, Mangotsfield, near Bristol, the City of Norwich, Portsea, the Parish of St. Nicholas (Nottingham), St. Martin's (Leicester), the two Townships of Sutton and Hurdsfield, near Macclesfield, and Wigan. N.B. The year 1828 is substituted for 1826 in the particular case of Norwich, in consequence of no earlier return than that of 1828 having been received.

	Paupers in the House.		Paupers out of the House.		Poor casually relieved.		Paupers not herein before included.	
	1826.	1830.	1826.	1830.	1826.	1830.	1826.	1830.
Andover	62	70	310	430	40	117	5	112
Birmingham	443	569	..	..	2,748	3,876	..	..
Bradford	95	140	3,000	4,000	..	..	170	250
Coventry	171	458	605	620	446	1,395	40	160
Congleton	41	62	125	158	150	179	..	..
Huddersfield	66	128	164	209	36	137	..	..
Leeds	156	220	910	1,010	700	1,230	..	..
Manchester	547	598	..	..	2,706	3,359	..	..
Mangotsfield	18	40	126	13	30	40	10	30
Norwich	555	383	3,776	5,928	6	8	..	..
Portsea	544	638	710	734	..	..	..	..
St. Nicholas (Nottingham)	40	80	96	120	..	..		5
St. Martin's (Leicester)	50	70	660	706	20	40	15	16
Sutton and Hurdsfield	7	48	81	222	13	47	45	37
Wigan	118	152	400	880	6	250	..	..
Total	2,906	3,656	10,963	15,155	6,958	10,678	325	610
Showing a Weekly Increase ..	..	740	..	4,192	..	3,720	..	285

and that in 1830 it was no less than 45,219.* In the first two weeks of March alone no less than 3,570 had been relieved by that society. In the parish of St. Mary, Bethnal-green, the number of the poor in the workhouse in 1826 was 500, and about the same number of poor out of the workhouse: in 1830 there were 1,400 in the workhouse, and nearly 5,000 who received parish relief out of the workhouse. He thought that he had now clearly shown that the distress of the labouring classes had been increasing since 1826, and he would detain their Lordships no longer on that point. But if, in addition to these facts, — if, in addition to the fact that the progress of the remuneration for labour had been declining until it had reached almost to the point of starvation,—if, he said, in addition to these facts, he required any further justification for his present Motion, he should find it in the proceedings of the other House of Parliament, in which two measures were in progress, and would probably soon be sent up to that House, which would require their Lordships, before they gave their assent to them, to make themselves well acquainted with the condition of the poor. A practice had grown up in some parts of the country of paying the wages of labourers by truck instead of in money. Concerning this system, and the bill to remedy it, he could not pledge himself by giving a positive opinion, because he knew little of the circumstances connected with it, and because he knew that it was a recognized principle, that the legislature should interfere as little as possible between the master and the workman. It was clear, however, that the system was very repugnant to the feelings of the labourers: and an hon. Member of the other House had introduced a measure of which the object was to compel the payment of wages in money. Whether that measure were desirable or not he was not able to decide, but the subject would very properly fall within the inquiries of the committee he proposed. Another measure, intended to put a stop to the practice of paying wages out of the Poor-rates, had originated with Mr. Slaney,—a gentleman whose benevolent exertions to ameliorate the condition of the poor deserved the highest praise. For his own part he did not object to the principle of the Poor-laws, but when their Lordships considered the extent of the evils derived from them, and the increasing amount of the Poor-rates, it was their bounden duty no longer to avoid going into the subject with a view to inquire whether the present administration of the law tended to demoralize the population rather than to benefit the country. If no other anomaly existed than that of the working people of England being exposed to an extraordinary competition with other labourers, the matter would be worth inquiring into. It might be an unpopular topic with many of their Lordships to allude to the irruption of Irish labourers into this country; but he would observe, that what they received from the Poor-rates was a bounty on their coming. He would give Irish labourers free permission to come into the English market, but they should speculate on finding employment at their own peril. He would place them upon the same footing here as an Englishman was placed on in Ireland: the fact of their being Irishmen should preclude them from obtaining a settlement in this country, from receiving parish relief, or being passed back to Ireland at our expense. The report of a committee of the Commons, generally known as Lord Stanley's Committee, stated that 20,418 Irish had been passed from the county of Lancaster alone within the five years ending with 1827. The average charge for removing each of these paupers from London to Liverpool was 4*l.* 11*s.* 3*d.*, while the price of a place in the mail was only 4*l.* 4*s.* Ought such a system to be allowed to continue? What made this drain upon the Poor-rates less bearable, were the gross frauds frequently committed by those persons who procured a livelihood by vagrancy, and obtained relief intended for Englishmen. It often happened that while they managed to be sent home as paupers they possessed considerable sums, the profits of their labour, which they carefully remitted to Ireland. The noble Duke proceeded to refer to the accounts of the Savings' banks as affording proofs of distress, and observed, that those banks were in precisely the same state as our merchants, ship-owners, manufacturers, and agriculturists,—their capital was diminishing every day. He had a return of their receipts and payments in the year 1828, but should not quote it, as it might be said that the law relating to Savings' banks had been altered since that period, and consequently that the accounts of 1828 afforded no fair test of prosperity or distress. But in 1829, the payments into Savings' banks had been 449,493*l.*, while the sum drawn out amounted to 1,444,937*l.*; and in the first seven weeks of the present year the sum paid in was 92,751*l.*, while that drawn out was 117,510*l*, making a diminution upon the amount of deposits of 24,759*l.* within that period. It was evident from this, that Savings' banks could not last much longer, except their Lordships should be enabled to put the country into a better state. With respect to the second part of his Motion, which related to the effect of taxation upon productive industry, after the reductions recently made by the Government it might appear ungenerous and ungrateful in him to press the noble Duke at its head further on the subject. He should not enter into detail upon this part of the question. He felt great gratitude to the noble Duke for the relief already afforded, but regretted that he had stopped short in his wise career; he regretted that other taxes had not been repealed which curtailed the comforts of the working classes and crippled our manufacturing and commercial interests,—when he considered the privations and distress of the working classes,—when he recollected how many thousands were obliged to exist with their families on a pittance of 4*d.* or 6*d.* a day, he thought that every tax which pressed heavily upon those classes ought to meet with serious consideration, with a view to its reduction or repeal. In alluding to the price of the necessaries of life he meant not to re-agitate the question of the Corn-laws, after years and years of discussion. Into that subject he did not propose to enter, nor did he suggest it as a matter for inquiry before the proposed committee. He might mention, however, the duties on tea and sugar as pressing heavily upon the productive classes: the amount of duty levied on the poor man's tea, which seldom exceeded 2*s.* per lb., was ninety-six per cent. The price of sugar in bond he believed was 25*s.*, and the duty amounted to 27*s.*; here was a tax of above 100 per cent upon this article. In speaking of the taxes that pressed severely upon productive industry, he might mention the tax on candles: the poor man was frequently obliged to work many hours before daylight and after dark, and therefore felt the pressure of that duty severely. But he would not go into detail on these points: if he were to introduce the subject into a committee it would be with a view to ascertain which taxes pressed most upon the poor, and how they might most advantageously be remitted—if taxation to the amount of them could not be abolished. However, he felt sure that the noble Duke had every desire to make further reductions, and he hoped that he would soon see clearly how much the state of the country demanded that this should be done. He thought, that by reducing some taxes, consumption might be increased, and that the revenue, instead of losing, would be benefitted. The noble Duke had anticipated, by his reductions, some of the points which it had been his intention to press upon the House on a former evening, if he had not been prevented by illness from then bringing forward his motion. He was unwilling to allude to matters personally affecting himself, but he trusted their Lordships would excuse him for doing so, on the ground of his anxiety to place himself right in their good opinion. He had been charged with a supposed inconsistency between his language in that House and his acts out of it. It was supposed that he had connived at the practice of employing labourers to do the work of beasts of burden. The only instance of such a practice which came before him in his capacity of a magistrate was the following:—He had been called on, some time before the last Session of Parliament, by some men belonging to Bognor, nine miles from his residence, who complained that they were compelled to drag carts laden with stones. He met them the next day at Chichester, where he acted as chairman of the Petty Sessions. The overseer of Bognor was summoned before them, but he and his brother magistrates found, on examining into the subject, that they had no legal means in their power to prevent such a practice. He remonstrated, however, with the overseer, and he had hoped the remonstrance had been successful in putting an end to the practice, as he had heard no more about the matter till recently. Since the subject had been referred to by a noble Earl (Stanhope), he had inquired into it, and ascertained that daily, at the watering-place of Bognor, two carts were employed, each dragged by four men, in conveying stones and gravel from the shore; each cart was attended by a person whom they called a foreman, but who, he believed was, in point of fact, a driver. Would not their Lordships inquire into matters such as these, and give magistrates the power to prevent a practice so pernicious and demoralizing in its effects? He had heard with pleasure from the noble Duke, who was the best authority upon such matters, that England, which heretofore had seldom or never engaged in war but with honour to herself, was in a more effective state now than ever, as respected her establishments for the purpose of defence. No doubt this was the case—every body recollected our past achievements; but did noble Lords believe, if our armies had been composed of men thus degraded, that even under the command of the greatest general of this or any other age they could have stormed the ramparts of Ciudad Rodrigo and Badajoz, scaled the Pyrennees, conquered at Waterloo, and placed the standard of England in the capital of France? Their Lordships might be assured, that if they allowed the people to be degraded and demoralized our whole happiness and prosperity—nay, our existence as an independent nation—must cease. He had intended to enter much more into detail, but felt unequal to the task in consequence of his late illness; however, he felt less regret at having been obliged to curtail his observations, as he was aware that his omissions would be amply supplied by noble Lords who agreed with him as to the absolute necessity of a free, a full, and a fair inquiry into the whole state and condition of the unfortunate class of men whose cause he had so feebly advocated. The noble Lord concluded by moving "for the appointment of a Select Committee to take into consideration the internal State of the Country, more particularly with respect to the condition of the Working Classes, and the effect of Taxation upon productive industry."

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* In order to make the information conveyed in the noble Duke's speech as accurate as possible, the editor thinks it right to add that the number of persons said to be relieved by the Mendicity Society is calculated by the number of meals given, so that if one person receives three meals, he would appear in the report as three persons. The winter of 1830 also was peculiarly severe. See the 12th Annual Report of the Mendicity Society.

Earl *Bathurst* said, if his noble relation had moved for a Select Committee to examine into the state of the Poor-laws, and the manner in which they were administered, he should have thought that there were strong grounds for such a motion, and should, perhaps, have felt disposed to agree to it; but in the present Motion he found it impossible to concur. His noble relation had gone into a variety of statements with respect to the amount of relief given from time to time to the poor in different places, for the purpose of proving the existence of great distress; but before their Lordships could determine how far these statements formed a correct test of the state of the working classes, it would be desirable to know on what principle, and under what circumstances, the returns had been framed. Noble Lords must know that there had been frequent departures in the mode of administering the Poor-laws from the true principle of the law. A practice had arisen (he spoke not now either in approbation or disapprobation of it) of overseers paying a part of the wages of workmen out of the rates, the farmers employing these men paying the remainder. Now, according to these returns, the description of persons receiving parochial relief was left undefined, and it did not appear under what circumstances the increase had taken place. It might be that it was owing only to the improper, at least irregular, mode of paying a part of the wages of labour out of the rates, which was a relief not to the labourer but to his employer. His noble relative laid great stress upon the increase of the Poor-rates in certain places during the last winter, but he should recollect that the last winter was one of unusual severity; and that we could not possibly judge of the state of the working classes throughout the country by the distress that took place under such circumstances in particular districts. The noble Lord endeavoured to prove the distress of the working classes by the diminution in the amount of deposits in Savings'-banks; but he should be aware that a law had been passed, not long since, by which no individual could have more than 200*l.* in Savings'-banks, or deposit a larger sum than 30*l.* in one year. When this fact was considered, the diminution was at once accounted for, and it appeared that it afforded no proof whatever of distress. His objection to the Motion was, that although it was apparently confined to the appointment of a committee to examine into the state of the working classes, the actual inquiry would be as extensive as that recently proposed to be instituted by a noble Lord, and rejected by the House. In fact, this was precisely the same proposition as the former, with this difference—that in the one case the inquiry was to have been at the Bar of the House, and in this it was proposed to institute it by means of a Select Committee. There was no real limitation in the noble Duke's Motion, although there might be an apparent one: it involved an inquiry into the whole internal state of the country, and was not confined to the condition of the working classes. If the Motion were agreed to, their Lordships must go into every county and district for the purpose of making an investigation into the state of the working classes in each. They would first have to inquire into the number of agricultural labourers wholly out of employment—into the number only enjoying partial and occasional employment · what wages both classes received; and then it would be necessary to ascertain whether wages were so reduced as to deprive these individuals, or a portion of them, of sufficient means of subsistence. Their Lordships must ascertain what amount of wages was contributed by the farmers, and how much was paid out of the poor-rates. Could they stop there? No; in justice to the farmer and landlord they must examine into the cause of the reduction of wages, and see what had obliged the farmer to diminish the amount of employment and the price of labour. The farmers would complain of taxation, of the pressure of the Poor-rates, and talk of rents not being sufficiently reduced. What did this involve but an inquiry into the whole state of the agricultural interests, and the causes of its depressed condition? The same thing applied to the manufacturing interests. Their Lordships would have to inquire, in every manufacturing town, into the amount of wages, and it would be said they were insufficient. They would hear of the great numbers out of employment, and it would be necessary to investigate the causes of low wages and want of employment. The manufacturer would say his profits were so small that he could not afford higher wages, and that his only chance of disposing of his goods at home or abroad consisted in bringing them into the market at a low price, which could not be effected unless wages were low. He would say, that such was the redundancy of manufactures brought into the home market by reason of the extensive use of machinery, that he could not sell except at a low price: and he would add, that he was exposed to the competition of foreign manufacturers, who could bring their goods into this country under the existing system, which did not afford the home manufacturer a sufficient protection. Then their Lordships would have the whole of the system foolishly called Free Trade to inquire into. The manufacturer would say, that as regarded the foreign market, he could only sell at a price that afforded little or no profit, and that if he were to increase the rate of wages, even in the smallest degree, he would be driven out of the market. Thus this inquiry, professing to be simply an investigation into the condition of the working classes, amounted, in point of fact, to an inquiry into the state of the whole of our agricultural and manufacturing interests, and in what manner they were affected by the existing laws. But the House was not only called upon to appoint a committee to enter into the state of the working classes, but also to investigate the manner in which taxation affected productive industry. What item of taxation did not this inquiry include? Every tax, every item of the Customs and Excise, more or less affected productive industry; so that we must inquire into the whole state of our financial system. His noble relation stated his anxious wish for a reduction of taxation, and mentioned taxes which he appeared to think ought to be reduced; but where was the substitute for these taxes? It was said "there are a great many taxes which you may reduce, and increase the revenue thereby." That was a hazardous speculation, and it would hardly be pretended, whatever might be the final result of such a course, that for the first year or two, at least, there would not be a decided loss, which must necessarily be supplied. The noble Earl re-stated his opinion as to the too extensive nature of the proposed inquiry; and observed, that to any motion of such a nature he must object, on the ground that great expectations would be excited, and disappointed as certainly as excited. His noble relation did not include the tax upon Corn in considering the taxes which pressed upon the working classes; but other noble Lords might not be so forbearing. After observing that the Corn-laws were yet a source of contention in the community, the noble Earl went on to say, that if he were asked what would afford the greatest present relief to the working classes, he should say a free trade in Corn; but if he looked to their permanent interests, his reply would be very different. If he were asked what would ultimately be most injurious to the interests of the country at large, and therefore to the working classes, by ruining the home market, his answer would be, opening the trade in Corn, and leaving the British agriculturist without protection. There might be, and there would be, different opinions on the subject, and if this committee were appointed it would be impossible to shut out a discussion of the Corn-laws,—a discussion which, on every ground, was to be avoided if possible; but ought particularly to be deprecated, as fomenting a division between the two great interests of the country. Neither could their Lordships, in the proposed inquiry, shut out the great question of the Currency. The noble Marquis opposite (Lansdown) would probably be upon the committee, and his opinions as to a standard of value were well known to their Lordships. The noble Earl proceeded to comment upon the Marquis of Lansdown's opinions on the subject of a double standard, and observed, that the noble Marquis had spoken of the relative supply of, and proportion between, gold and silver, and of the advantage of recurring to what he considered the ancient standard. The noble Marquis stated, that up to 1797, silver was the original standard. He did not wish to put his opinion in competition with that of the noble Marquis, but he had always thought that since the year 1717, when an Act was passed on the subject by the advice of Sir Isaac Newton, gold had been rendered the common coin of the realm. He maintained that at that time gold became as much a standard of value as silver. The practice as well as the principle bore out the assertion: from 1717 to 1797 the whole amount of silver in circulation never exceeded 550,000*l.*, and in fact gold was the current coin. From the moment that a limitation was fixed upon payments in silver it then ceased to be a standard. True, it might formerly have been received to any extent, but that was not now the case. But what, he would ask, was the value of silver? The real value was thirty per cent below the nominal value. In other words, if a man had collected a certain quantity of silver, and had a bill of 70*l.* to pay, he was compelled to pay in that silver to the nominal value of 100*l.* At the same time, however, what was the state of the people respecting the silver tokens? It might be illustrated in the same manner. For if a man having this bill of 70*l.* to pay, and a quantity of silver on hand, went to the Bank, he there received 70*l.* in sovereigns to discharge his debt. At present we had gold as the sole standard, paper convertible into gold, and silver tokens, also convertible into gold, but not constituting a legal tender in payment of a sum above 2*l.* The amount of silver in circulation formed, in fact, as to value, no inconsiderable part of the whole currency. The effect of the noble Marquis's principle might be, to change the standard, and pay with a lower standard debts contracted in a higher; putting the difference into the debtor's pocket. To a proposition such as that, if made, he must always be opposed. But why did he allude to the subject? Simply because their Lordships must go into the state of the currency if a committee were appointed, for half the petitions that had been presented attributed the distress to the state of the currency. The noble Earl recapitulated his former statement as to the extensive nature of the inquiry, which, if entered upon, would keep the country in a state of suspense for a longer period than the present Session, upon subjects the most important, and would, in the end, be of no advantage to the country, but terminate in producing general dissatisfaction and disappointment. Upon these grounds he should oppose the Motion.

The Earl of *Mansfield* expressed his entire concurrence in the Motion of his noble friend, whose arguments, he hoped, when their Lordships came to vote upon the question, would be found to have made as great an impression on the minds of other noble Lords, as they made on his own. They appeared to him so convincing, that he thought the noble Earl's objections to the proposition entitled to but little consideration. His noble friend's proposed inquiry divided itself into two branches—first an investigation of the internal state of the country, with reference to the condition of the working classes; and secondly, an examination of the effect of taxation upon productive industry. He thought that no valid objections could be taken, either to the subject or the manner of the inquiry. The subject he had just stated, and as to the manner of the inquiry, it was proposed to refer it to a Select Committee, which was better calculated to manage such an investigation than a Committee of the whole House, and could, with less show of reason, be objected to by Ministers. The noble Earl's objection to the subject of the inquiry was, that although apparently a simple Motion, it was likely to open up too many topics: and there might be a latent fear lest we should discover that the distress which had been represented in the royal Speech as partial and temporary, was general, and likely to be unfortunately too permanent. But even if this Motion were to have such an unfortunate result, the question was, whether they could, consistently with their duty, refuse it? When, upon all hands, it was admitted that at least some distress existed, was it not proper that they should investigate its nature and extent, the circumstances which had caused it, and endeavour to devise some remedy for it? He had not the advantage of being present in his place when his Majesty's Speech was read on the first day of the Session, but he confessed that the light manner in which the prevailing distress was touched did strike him with some surprise; although perhaps those light touches cost more labour, and were attended with more difficulty, than the more grave and weighty portions of that Speech. Their Lordships would recollect, however, that it was not the Speech of his Majesty, but of his Majesty's Ministers. There were, perhaps, some ministerial emoluments, in the amount of which, at the time the Speech was delivered, the Government had no idea of proposing any reduction, and they, being quite exempt from distress themselves, disbelieved that any distress existed with respect to others. They thought, he supposed, considering the situation in which they were themselves placed, that general prosperity prevailed throughout the country. If there were any misconception or misrepresentation of the real state of the country, Ministers were alone responsible for it. Considering the time and circumstances of the meeting to which that Speech was submitted, not for discussion, but for approbation, he was very much reminded of a saying of a certain king of Persia, who never felt more convinced of the happiness and prosperity of all mankind than when his own appetite was satisfied. The Speech no doubt was agreed to at a Cabinet dinner and their Lordships had the authority of a proverb for saying that 'Un homme riche, quand il a bien diné, voit tout le monde heureux.' So it appeared to be with Ministers—they were well rewarded, and they took it for granted that every body else must be as well off as they were. That there was distress amongst those classes to whom his noble friend's Motion extended could not be doubted: and their patient endurance of that distress deserved the utmost sympathy of the legislature. Some persons would, perhaps, say that their patience arose from the confidence which they placed in his Majesty's Ministers; others might be of opinion that there was no confidence in Ministers themselves—that they were viewed like the National Debt, or any other grievance, which could not be removed suddenly, but which the people would be glad to get rid of. He would not say, and he hoped he should not be misunderstood, whether he partook of or rejected that opinion. At the same time, he wished to observe, that he would, with their Lordships' indulgence, at any time state his sentiments, and nothing should induce him to adopt the opinions of any other man. He attributed the patience of the people to another cause: first, to that energy of mind which was so justly alluded to by his noble friend; and secondly, to a great increase of common sense, which prevented the people from being seduced by factious demagogues. They looked to Parliament for relief, because they knew that in Parliament there was always a body of men anxious to investigate their circumstances, and to protect their interests. They knew that seditious language, or acts of violence and insubordination, could have no other effect but to neutralize and render ineffectual the efforts of their advocates, if not to cause the continuance of those measures of which they might have most reason to complain. This statement might not be so flattering to some individuals as they could wish; but in making it, he placed the patience and forbearance of the people on their just and proper grounds. In the midst of the gloomy views by which that class of the community was surrounded, he could not look upon their improved loyalty without experiencing the most consolatory feeling. But he wished again to impress on their Lordships, that the patient endurance of the people gave them a great and serious claim on the attention of the legislature; and he trusted that Parliament would at least manifest the wish, if it had not the power, to relieve them. He called on their Lordships, therefore, not to refuse to take all the circumstances of the times into consideration. It might be thought that he argued the question as if their Lordships viewed the distress from an exalted height, where it never could reach, being themselves free from the contagion. But was this the case? In other countries, where the superb palace, resplendent with every ornament that art could furnish, and loaded with every luxury that Europe could supply, stood by the side of the lowly and wretched cottage, which appeared before it like Lazarus pining at the rich man's gate, there was no community of sentiment between the tenants of such opposite dwellings, founded upon the consciousness of equal rights and freedom and protection by the law. No! They had no common interest or feeling—the discrepancy between them in all things was as great as it was in wealth and station. But it was far otherwise in this country, at least it had formerly been so. No traveller could then pass through England (and the fact ought not to escape their Lordships' observation) without perceiving, that though wealth was unequally distributed, as it must be more or less in every country, yet that there was a greater and more general diffusion of property, and of the advantages of property here, than in any other quarter of the world. True it was, that objects of misery would sometimes meet the sight, but there formerly was not (he wished he could say that there is not) that stamp of misery impressed on the common class of people which was to be seen elsewhere. This was to be attributed to that feeling of universal interest which pervaded all ranks of society. But now whole bodies of people were in misery, and this could not long exist without affecting all classes proceeding from the manufacturing and agricultural labourers till it reached the very highest. He was convinced, to use the prevailing language of the day, that the productive classes could not long remain in a state of misery and distress without seriously affecting every class of consumers. He would assert that the manufacturing labourer could not suffer long without affecting the agricultural labourer — until, finally, the owners and occupiers of land, and, in short, every class of proprietors, would become included in one universal distress. He held this to be a certain, though perhaps not an immediate effect. There was one point to be ascertained which, in his opinion, ought to be developed in the committee; and that was, whether the misery which bore down different classes of people had one common cause and origin, or whether the misery of one class was reflected from the misery of others; and that would be one of the most difficult and important parts of the investigation. He looked to the chain of interest —he looked to the links of that chain, which, though not perhaps visible to all, yet bound the community together, and which, therefore, was a proper subject for investigation. Taking the question in that point of view, it was not the interest of the lower classes, but their own interests, to which their attention was called. If this inquiry were agreed to, he hoped that many of the statements of the existing distress would turn out to have been overcharged; but if the allegations contained in the petitions which were laid on their Lordships' Table were at all supported by facts (and of that he had little doubt), then their Lordships would be imperatively required, for their own sakes, to save the labouring classes from the sad degradation to which they were hastening. In looking to the real wealth and prosperity of a country, he contended that it was not to be found in the concentration of great riches in the hands of a few individuals: it was not to be seen in the profligate display of luxury, while the suffering poor were wanting bread; the sure test of national wealth was the degree in the scale of comfort and happiness which the lowest class of the people maintained. The second branch of his noble friend's inquiry was as to the effect of taxation on productive industry. Here he must say, whatever advantage might be taken of the observation, that the widest possible field of inquiry presented itself. He thought that their Lordships could not go into that examination without investigating the whole financial system of the country—the amount of taxes, the operation of the Corn-laws and of the Poor-rates—and last of all, and, he would say, the most important of all, the effect of the great alteration in the currency. It might seem that an inquiry so multifarious would be interminable; but their Lordships should recollect that reports might be made from time to time, and different subjects could thus be gradually and successively brought under their Lordships' attention in such a manner as would best enable them to adapt legislative measures to the peculiarities of each subject. He had turned his attention very seriously to many of the matters into which it was proposed the committee should inquire—but he would not, at present, state his opinions respecting them to their Lordships; because he felt that it would answer no useful purpose. His sentiments might be met by the statements and opinions of others, so as to furnish grounds to some of their Lordships, and excuses to more, to refuse this committee. They would be very apt to declare that there was no use in granting a committee, when the subjects to be considered were so numerous. If any noble Lord entered into the committee, determined to assume, instead of endeavouring to ascertain, facts—determined to adhere to preconceived opinions, as if they were immutably established — an inquiry conducted by such individuals would be worse than useless. The duty of that committee would be, he apprehended, first, to ascertain the facts; and he would appeal to every noble Lord who heard him, whether that was an easy task? The next point would be, to look to the cause of the distress, and to suggest, if their Lordships could, a proper remedy. He felt it to be his duty to agree to the appointment of this Select Committee. He thought, when there were so many objects to be inquired into, that a Select Committee was, if not the best mode that could be adopted, at least the best that had been proposed, and therefore he should support it. He should, however, have been much better pleased if the inquiry had proceeded from Ministers themselves, who had much greater facilities for investigating the several subjects, and submitting them to a committee, than Peers not connected with the Government. They had instituted such inquiries on former occasions. They might, after investigating the subject, declare whether a remedy could be found, or what measures were necessary for the preservation of the country. Looking, however, to the system which Ministers pursued, he did not know how else his noble friend could proceed, except by moving for a committee. If Ministers met the present distress with stout denials —if they refused an inquiry by which alone the discordant statements of those who rejected the idea of distress, and of those who loudly proclaimed its existence, could be brought to the test—if they would not allow Parliament to ascertain the state of the country, but let the matter just remain as it was—the people would, he conceived, have just cause for dissatisfaction. Under all the circumstances, he saw no other fair mode of proceeding but that of instituting the inquiry which his noble friend had proposed. He hoped, that on this occasion, his noble friend would have the support of some noble Lords who, in former times, were very acute in discovering the distress of the country, and very anxious to remove it. He was the more desirous that his noble friend should receive that assistance, because he observed, that for some time past —owing, he supposed, to the force of their eloquence—they had a very considerable influence on the measures of that Government to which they formerly were in direct opposition.

The Earl of *Eldon* rose, with great regret, he said, to address their Lordships for a short time. But, however painful the subject was, he could not avoid delivering his sentiments on it, as he felt a most sincere desire to make one struggle more for the relief of his country. If their Lordships wished to preserve the link which connected the highest and the lowest class in the empire, they must investigate the distress which now existed, and they must make plain and intelligible what the causes of it were, and point out the remedy by which it might be alleviated. They ought to prove to the people that they entertained a real desire to remove their evils. The great peculiarity of this country, beyond all others, was this—that we were, from the lowest of us to the highest, dove-tailed into one common connexion with each other, and one class could not suffer without affecting the others. He did most sincerely hope and trust that their Lordships would endeavour to satisfy the people that they would do their utmost to ascertain the cause of the distress, and that they would, after mature deliberation, declare whether some mode of relief could or could not be devised. He should support the present Motion, remembering the mischievous projects that were afloat in the years 1792-3-4 and 5, and remembering how Parliament, by its exertions, had then succeeded in putting an end to discontent. He hoped that their Lordships would, by the vote of that night, be enabled to terminate any projects of a similar nature which might then be in agitation, and by satisfying the people, put an end to their complaints. He trusted, accordingly, that there would be no longer any objection upon the part of the House to the Motion, for a committee. They were told on a former night, by several noble Lords, that their only objection to the proposition then made by a noble Earl was founded on the mode of inquiry which he recommended. They were opposed to a Committee of the whole House, but now that a Select Committee was proposed, their objections should be removed. He was not one of those who supposed it was in the power of Parliament to give entire relief to the people, but it was of the last importance to have them satisfied, if it were not in its power to comply with their wishes, that at least it was anxious to inquire into the causes of their distress, and to afford them all possible assistance. He was encouraged to hope, from what had passed upon a former occasion, that this inquiry would not now be denied—an inquiry which the assertion in the King's Speech, that described the distress as only partial, did in itself, after the many documents to a contrary effect which had been laid before the House, render necessary. Ministers had found out that the country might be relieved of taxation to the extent of three millions and a half, in one Spring morning, and they even doubted whether the relief might not extend to five millions; he, therefore, felt confident, that as the weather improved, the country might expect further discoveries of this sort. The same objections that had been urged against an inquiry at the Bar of the House, were now urged against an inquiry by a Select Committee. In his opinion, many important things might be stated to a Select Committee as to the causes of distress; whilst individuals might be able to ascertain which of them admitted of relief, which of alleviation, and which were beyond the power of remedy. He had no hesitation in saying, that if inquiry were denied, it was neither more nor less than a total abandonment of all the duties of Parliament. But he had confidence in the people of this country. They were well disposed in their periods of distress, and none but Englishmen could suffer as they had done; nor could they have borne their suffering but from a love of that Constitution which they knew would sooner or later make them happier than any other people in the world. He had guarded himself against anything that could lead to a supposition that he was a friend to a change of the present system of Government. He thought, however, that an alteration of the currency might afford some relief. In Scotland the people were indulged with a small-note circulation, and they did not seem so much distressed as the other inhabitants of the empire. It was extraordinary that in his native county, Northumberland, the Poor-rates were only at 1*s.* 6*d.* in the pound, whilst in some of the southern counties they were as high as 20*s.* in the pound. He could very easily account for this, for the small notes would no more stay in Scotland than any thing else [*a laugh*]. In that part of the country, the people were too far north for the southerns, and they managed better than to want small notes, merely because Ministers said they should not have them. Considering the alterations of the currency since 1797, he should say, that their effects upon contracts made in the interval of those changes amounted to a violation of honesty and good faith. He denied that he was an introducer of the measure of 1797; all that he had then done was to propose that people should not be relieved from paying creditors in gold any longer than there was a necessity for it [*a laugh*]. But by the bill of 1797, although the power of arresting the debtor was taken away, yet gold could be demanded in payment when execution was sued out. It was a subsequent Act which obliged creditors to take payment in Bank-notes. He now thought that small notes might be issued, under proper regulations, without any detriment to the public interests. It was advisable, he thought, to make bankers' estates chargeable for their simple contract debts, but it would be necessary to know what were the embarrassments previously upon them. He recollected when this country was at peace with Spain, and the Parliament of England was passing Acts to prevent men enlisting in the South American armies. At that time British subjects were sending large sums of money to those colonies, before they had been recognised as Independent States by the Sovereign of this country, and they were likewise sending out goods; but unless he was very much mistaken, all these transactions had proved more or less disastrous; but this was the fault of the individuals, and let them suffer; it would teach them that capitalists ought to employ their capital as much as possible to the improvement of their own country; and if they sent to foreign states, they must take upon themselves the blame and the consequences which they wished to throw upon Parliament. In the disturbances that took place in 1792, 1793, 1794, and 1795, the affections of the great body of the people were not disturbed by the distresses which oppressed them, for they saw that Parliament was anxious to relieve them; and they therefore concurred in that war which Parliament, by their concurrence, was enabled to carry on, and by the successful termination of which the noble Duke opposite had made himself so illustrious. The state of England was like a great and glorious pillar—the people formed its base; then came those of a little higher rank; then still a little higher, until it reached the apex, on which stood the Monarch of the country. If the distresses of those who formed the basis of that pillar were entirely neglected, he need not tell the House what would ensue. There was not an Englishman of that class that was not enduring, in the most exemplary manner, distresses difficult to conceive, and too painful for him to describe; and he thought the people were entitled to have those distresses patiently and carefully investigated by their Lordships.

The Earl of *Rosebery* observed, that the noble Earl (Bathurst) who had alluded to what fell from him on a former night, relative to the silver standard of coinage, had not met his argument fairly. It was very true, as the noble Earl said, that in 1717, when Sir Isaac Newton settled the currency, gold was made the standard. He had not disputed that fact. But the noble Earl must know, that the current gold coin was made conformably to the price of silver. The noble Earl stated what was perfectly correct, when he said, that in 1774 an Act of Parliament was brought in, limiting to the sum of 25*l.* the legal tender of silver coinage. But the noble Earl forgot to state, when mentioning that fact, why it was so limited. The reason was, because the silver coinage was then debased considerably below the value which it represented. The noble Lord admitted, indeed, that silver, to any weight, was allowed to be taken by the same Act. Now, if he were not mistaken in his opinion, that regulated the price of commodities, and was, therefore, a standard of value in the country. The noble Earl had stated, that if any man now went to the Bank with 70*l.* in silver, he could easily obtain for it 70*l.* in sovereigns, but that was merely from the civility of the Bank, arising from their want of silver in their current transactions. They were not under any obligation, that he was aware of, any more than any body else to accept more than 2*l.* in silver in the payment of a debt. With respect to the question immediately before the House, he begged leave to state, that he acquiesced most heartily in the Motion of the noble Duke. On the former occasion, when a motion for inquiry was under consideration, he had addressed their Lordships, and the noble Earl (Eldon) had entirely misconceived the speech he made, and the conclusion at which he had arrived on that occasion. The tenor of his speech was in favour of inquiry, which he thought indispensable, although he voted against the proposition of the noble Earl. He did so because he thought that an inquiry at the bar of their Lordships' House would be most unsatisfactory. He felt that such an investigation would take up the time of their Lordships, and of his Majesty's Government, most uselessly, and that it would excite expectations that, in the end, would be disappointed. He was of opinion that the course now proposed was perfectly exempt from that objection; and he was sure the inquiry would, if properly conducted, be eminently conducive to good. He perfectly agreed with his Majesty's Speech where he recommended the House to separate those causes of distress which were beyond legislative control from those which might be within the reach of Parliament. He also agreed with that part of the Speech in which was recommended the greatest degree of caution in any inquiry into so delicate and intricate a subject; but he could not acquiesce in the opinion, that because some of the causes of distress were beyond legislative control, that therefore the House was not to make any inquiry into those causes that were, or might be, within the reach of Parliament. This would amount to an absolute prohibition of all inquiry. Every attempt to obtain inquiry in that House had failed of success, and he therefore could not understand why caution in inquiry had been recommended in the Speech from the Throne. Although a relief from taxation might benefit the country, he thought that nothing could be of great and extensive good, unless the supply and demand of labour in the market were regulated; and if emigration were to be the relief, the vacuum must not be filled up. One important point, therefore, for inquiry was, the administration of the Poor-laws, and to ascertain whether some means could not be devised for preventing the frequent inundations of Irish labourers, which, in his opinion, was one great cause of the disproportion between the supply of, and the demand for, labour in this country. The noble Earl (Eldon) was totally mistaken in his ideas of the reason why the Poor-rates in Northumberland were so much lower than in the South. It was solely from the poor not being paid their wages out of the Poor-rates, as was the custom in the southern counties. The noble Earl, he also believed, was not correctly informed, either as to the effects of small notes, or as to Scotch one pound notes circulating in Northumberland. He acknowledged that Scotland was not so distressed as England; but that was more owing to the habits of her people than to the small notes; and he did not believe that they circulated in the North of England. Whatever might be the conclusions to which a committee of their Lordships should come, he was sure that its recommendations, on the various points brought under their consideration, would be highly beneficial to the country.

The Marquis *Camden* said, that after the best consideration which he had been able to give to the subject, he had come to the conclusion that the distress of the country was by no means so general as it was attempted to be made out. He felt it due to those who framed the Speech which was delivered from the Throne at the opening of the Session, to state that the nature of the existing distress was, in his opinion, correctly described in that document. If he were to contrast the present situation of the country with what it was in the year 1822, he should say that the comparison was in favour of the present period. In 1822, the complaints of distress amongst the farmers were much more general than now, and many landlords, himself amongst the number, were then obliged to forgive their tenants a year's rent. In the present year he had not received a single notice to quit from any of his tenants. Under those circumstances, he could not believe the distress was so general as had been described. The distress of the country was spoken of in a manner which induced him to suppose that those who dwelt upon it so much, considered it no bad sport to distress the Administration. Their Lordships were divided into a variety of parties, and distress seemed to be the text on which they all preached. There was not only Ministerial and Opposition benches, there were ultra-tory benches, the discontented benches, and the cross-benches, where the neutrals generally sat, and which were now nearly deserted. With respect to the meetings that were held out of doors, they seemed to be formed for the purpose of backing opinions which were delivered in Parliament, and in most instances the petitions which proceeded from them did not express the real feelings of the persons assembled. He was sorry to hear it stated by a noble Earl, (Mansfield) that his Majesty's Ministers were not aware of the distressed condition of the country. It was impossible that they should not be aware of the distress if it existed. That distress did exist to a certain extent Ministers admitted, and they had resorted to the reduction of taxation, and the enforcement of economy, as the best means of alleviating it. The remedy for such distress as existed, was unquestionably economy and reduced taxation; and he was sure that the present Government had evinced a strong disposition in favour of both. A prudent economy had been both professed and practised. Upon the question of the currency he did not intend to touch further, than to say that he conceived some benefit would result from permitting country bankers to issue more paper, upon giving adequate security that they would be able to take it up. He placed great reliance on the good sense of the people, and believed the period was not far distant when the complaint of distress would cease.

The Earl of *Winchilsea* expressed his cordial satisfaction at the able and feeling manner in which his noble friend had brought under the consideration of their Lordships the faithful picture of the distress which pervaded the great body of the labouring classes of the community, which had entitled him to the gratitude of his country, and had established for him a character which was more to be envied than even the high honours which he had earned in the field. What did his noble friend's Motion call on their Lordships to do? To inquire into the distress which pervaded the great body of the labouring population, as well manufacturing as agricultural. Could any individual who was aware of the unhappy situation of the great body of his countrymen, and had one particle of feeling about him, deny the justice and expediency of such an investigation? His noble friend proposed the inquiry with the view of tracing the distress to its sources, and of applying, as far as was in the power of Parliament, a remedy for them. He had heard with surprise a member of the Government—the President of the Council—assert that an inquiry into the state of the agricultural and manufacturing population could not be entered upon without also going into an inquiry into the distress which affected every interest in the empire. Because other classes were distressed, was that a reason why no inquiry should take place into the condition of the classes which were the object of his noble friend's Motion? He could not conceive that the House would refuse their assent to the Motion. A noble Lord had stated, that he considered the Poor-laws as one of the chief causes of the present distress of the labouring classes. He could not imagine on what ground the noble Lord founded that opinion. If the distressed labourers did not receive the 7,000,000*l.* of Poor-rates, their condition would be much worse than it was at present. He believed that if the Poor-laws were administered in their real spirit and intention, they would prove to be the finest code ever framed by the wisdom of man. It was the abuse of the laws, and not the laws themselves, which should be condemned. He firmly believed that there was but one interest in the country—that all were desirous to place affairs upon the best and most prosperous footing; but he thought, at the same time, that mistaken notions prevailed; and if it were true, as was asserted by some, that distress was by no means general, let the Motion be carried, and an opportunity would be afforded of ascertaining, beyond contradiction, the real condition of the people, and the true extent of the distress. No man in the country would receive with more heart-felt gratification the proof that the distress was limited, than the humble individual now addressing the House. He was prepared to admit, that if the Motion were carried, the inquiry would embrace a considerable number of important questions; but, as it seemed to him, that was the very reason why the investigation should be undertaken. Was the House to say to the distressed, who were earnestly beseeching relief, that because the Motion, confined as it was to the labouring classes, would include other topics of great interest and importance, it was not fit that any investigation at all should take place? Notwithstanding what the noble Marquis who had last addressed the House had stated, he must declare his opinion, that the distress of the country had been gradually augmenting for years past. If the noble Marquis would take the trouble to investigate the subject, he would find that the distress now existing in Kent exceeded any thing of the kind within the memory of man. He had heard from a gentleman connected with that once flourishing county, that numbers of farms were occupied at no rent at all. He had also heard from an acting magistrate of the county, that his land was occupied by tenants who had paid him no rent for the last seven years. A few days ago one of that gentleman's tenants came to him and told him that he was indebted to him for seven years' rent. The landlord supposed that he had come to pay him; but he placed some money on the table, and said —"If you take that, I have not a farthing left to purchase seed with, and I will give up possession of the farm as soon as you please." He could, if he pleased, mention numberless instances of this description. The class of freeholders who composed the link which connected the peasantry with the higher classes of society had, in that part of the county where he resided, been reduced one-half in the last six years, and at the present moment half the property of those remaining was on sale. If such a state of things were allowed to continue, it must end in the breaking of all the bonds which held society together. He wished he could coincide in the opinion expressed by some noble Lords, that the country at large felt confidence in the present Ministers; but he could not shut his eyes to what had passed at a late meeting, where he had been present, and where anything but confidence in Ministers had been expressed. He begged, at the same time, to disclaim any wish to have his opinions backed by meetings out of doors, or any intention of attacking Ministers, or rendering their situation more distressing than it was, for, in his opinion, it was one which was far from being enviable. He did not attribute the situation of the country to the conduct of the present Government. It had arisen from causes as to which he would not, at that moment, attempt to offer an opinion. He was averse to the meeting which had taken place in Kent, because he thought that the petitions of the people had not been received in Parliament with the deference and respect to which they were entitled; but as he was determined never to separate himself from the great body of the freeholders, he told them, as they wished to express their sentiments, that the only constitutional mode of doing so was by a county meeting; for he hated what were called hole-and-corner meetings. He implored their Lordships to give their support and approbation to the Motion of his noble friend, and to avail themselves of this opportunity of showing that they sympathised with the people in their sufferings, and were willing to do their utmost to afford relief. It was to be recollected that the proposition now submitted did not impugn the conduct of Ministers; for he agreed with his noble friend, that it ought rather to have originated with them as the anxious guardians of the national prosperity. In conclusion, he would express the strong feelings of gratification he experienced, which he was certain would be participated in by every man who heard him, at seeing his noble friend who had brought forward the Motion restored to health.

The Duke of *Buckingham* said, that no one could join more cordially than he did in the sentiment of satisfaction expressed by the noble Earl, at the manner in which the noble Duke had been enabled to perform his duties, after the indisposition which he regretted, both on public and private grounds. The noble Duke's proposition was divided into two parts—one embraced the consideration of the labouring poor, the other an inquiry into the state of taxation, and its effects on the productive industry of the country. His objection to the Motion was, that it was too comprehensive. If either of the two questions had been proposed, the House might have entertained it; but both together were too much. The question was, not whether it was right to enter upon the inquiry proposed by the noble Duke, but the *quo animo* in which the subject had been brought forward. The noble Duke's object, of course, was, as he had himself stated, to impress on the public and their lordships the idea that the distressed state of the labouring classes was occasioned by the weight of taxation. The present, however, was not the only occasion on which the country had heard the cry raised of wo, destruction, and ruin. For the last hundred and fifty years Parliament had rung with the same statements. Whenever rents had fallen, and the Poor-rates pressed heavily, the country had been described to be in a state of distress and ruin, and the labouring classes in a state of degradation. Even the amiable and excellent George Earl of Middleton, had fallen into that delusion, and declared in his day that the weight of taxation was so great that it was impossible any class of the community could survive it; and Sir John Sinclair, in one of his publications, had shewn that, according to the various declarations, the country had been ruined and bankrupt no less than twenty-two times between 1688 and 1723. In treating of the condition of the poorer classes of the community, it was necessary to exercise the utmost caution, and their Lordships' discussions ought to be managed with the utmost delicacy. The poor were always prone to believe that every thing which was done by the higher classes was done for their own interest, and not for the welfare of the poorer classes. They eagerly snatched at any hope which was held out to them, and bitterly regretted any disappointment. He objected to the Motion, because it would excite hopes which could not be realized. If he thought that it was in the power of Parliament to remedy the situation of the poor, he would cordially support the Motion; but he would never lend his sanction to a proposition which would excite hopes that must be disappointed. He was willing to do justice to the motives of the noble Duke, and congratulated him on having, thus early in his political career, come forward in behalf of the poor. But all persons would not do him that justice, and he ought to be aware that many individuals would be found out of the House, who would make use of his name and authority to excite expectations which they knew could never be realized, with a view to profit by the subsequent discontent. For his own part, he did not think that the poor only were deserving of attention. It was impossible for their Lordships not to know that other classes were deeply affected. When the labourer had no employment, the landlord was obliged to support him. So long as the land existed the pauper's claims could not be denied. They were attended to, indeed, before the landlord could put a single pound of rent into his pocket. What did the labourer care for the distress of the farmer, for his wants were supplied, though the other might have his house sold over his head? The situation of the poor alone, therefore, ought not to be inquired into, but rather the situation of all classes. In his opinion, the present sufferings of all classes, in various parts of the country, was attributable to the altered circumstances of the country as to our foreign relations, and even to our being in a state of peace. For example, something had been said by the noble Earl near him of the decay of opulent and respectable freeholders; but it was obvious that much of the distress was caused by their produce coming into competition with the cheaper produce of other countries. When farming produce bore a high price, they had large incomes; and now that its price had fallen, their incomes had been reduced in proportion. When prices were high they contracted expensive habits of living, and continuing to indulge in them when prices fell, they were unable to meet their expenses. Their distress arose from their inability to live as they had lived. Formerly, the greater part of the Metropolis was supplied with butter and cheese from the counties of Buckingham and Essex; but now those articles were brought to London in steam-boats from France and Holland. The butter which the noble Duke had eaten at breakfast that morning was most probably the produce of Holland, and thus he had assisted in adding to the depressed state of the agricultural interest. The second part of the Motion was an inquiry into the subject of taxation. Now, in the first place, their Lordships should look, not merely at the state of taxation, but what proportion our taxes bore to the income of the country, and how far the revenue had diminished or increased; because, if our revenue had increased, and our trade had increased, the argument as to the amount of the taxation would go for very little. The most productive year before the war was 1790, and after the war, the year 1823. Now, in the year 1790, the quantity of cotton wool consumed in this country was 31,400,000lbs.; in 1823, it was 249,700,000lbs. In 1790, the quantity of sheep's wool consumed in this country was 3,200,000lbs.; in 1823 it was 30,200,000lbs. The quantity of British wool exported in 1825, the last year that our paper currency was in existence, was 18,367lbs., in 1829 it was 1,669,389lbs. The quantity of cotton goods exported had probably doubled since 1819, while the price of the raw material had sunk to one half. Now what was all this a proof of? It was a proof that consumption had increased, and that taxation had had no sensible effect upon our trade. He would further observe, that taxation had been as heavy in 1823, 1824, and 1825 as subsequently; and, indeed, it was heavier, and then the country did not suffer from distress. Taxation was not, therefore, the cause of the distress. But probably his noble friend would say that then we had paper money to pay taxes; (he saw paper money smiling in his face) but the distress of which noble Lords complained was far too general in its nature to be caused by a circumstance so limited in its operations as our change of currency. What, then, were the limits of the distress? was it confined to our country? Far from it. The same distress experienced here was felt throughout the world. If it were said to be occasioned by taxation, go to Switzerland, where there is no taxation—go to America, go to France; the distress would be found the same. If it was contended that the distress was occasioned by the weight of our debt, go to countries not encumbered with debt—to America, where there is no debt; to France, where the debt is small; to Switzerland, where, perhaps, as in olden times, they may have money in their treasury, the distress is the same. Then it was said, that our distress was occasioned by Free Trade. He had heard much of the principles of free trade, but he had not seen them often acted on. But let their Lordships go to those countries where there was no free trade—Germany, the Netherlands, France—distress would be found to prevail in all. Then it was absurd and mischievous (if he might say so of anything which occurred in their Lordships' House), to say that the distress arose from causes which did not exist in other places where the distress was at least equal to that which prevailed in this country. Then the paper currency had been cited as a cause. If his noble friend wished to return to those times of confidence, as he called them, between the farmer and the banker, he (the noble Duke) could not participate in his wish. Some noble Lords wished for a restoration of the paper currency; but to that he could not consent. If, in 1825, the last year of the bubble speculations, 165 bankers became bankrupt, the credit of the country, instead of being distressed by a metallic currency, as was contended, must be restored. The paper currency led to speculation, and that was followed by failure and general mistrust. Since this metallic currency was restored, 160 out of 165 bankers were enabled to pay 20*s.* in the pound. This proved that a paper currency was not necessary to keep up the credit of the country, when, during a metallic currency, these individuals could pay, in full, debts which they had contracted in paper. It was easy for the noble Duke to sit at the Custom-house, calling out for complaints of grievances. If the noble Duke heard from the north any unfavourable accounts of the state of the Tallow Trade, he called out for inquiry. If there was a pressure of French Silk in the market, the only remedy was a committee. The distress was general all over the world, and yet inquiry was called for as if it had been exclusively British. He granted that distress did exist, and to some extent; it was vain to deny it, and folly to conceal it. This distress was owing mainly to the breaking down of the barriers of that commercial monopoly we had possessed during the war; and also to two bad seasons, with which Providence had visited us, after one bright one. It was partly owing, likewise, to the gradual resumption of cash payments, which could not be returned to without some inconvenience. But these causes were temporary, and so, he confidently believed, the distress would be. In the manufactures of the country there was already an increase of improvement and prosperity; and the times were, he trusted, coming round, when those who supported this inquiry would rejoice at their own disappointment and want of success. There was no reason for despair; and it was satisfactory to know that our manufacturers were rising from their late depression; that they were now getting full employment, and that it was daily increasing. With this conviction, he (the noble Duke) could not doubt that the evil was passing away, and that he should soon have to congratulate the noble Duke on the return of prosperity. He considered this Motion to be brought forward in an extraordinary state of the country and of parties. If their Lordships went into any club, they would find a moderate Whig holding this language: "We must have free trade, and a metallic currency; nothing but that will save the country." "But," said his noble friends, "do not think of these things; they are the causes of our distress, of our particular distress; these are what we mean to make speeches about." They were joined by the true-blue Tories, who were now advocates for Radical Reform, and down they came to the House of Lords, or to the House of Commons, whichever it might happen to be, and one and all joined in a league to support a motion for a committee of inquiry. Such was the state of parties, under which the present Motion was brought forward. Believing, then, that the Motion was brought forward by an unwholesome and unconstitutional junction of parties, and that the effect of it would be, to excite and flatter the hopes of the poor, and afford no remedy to the disease complained of, he must oppose it.

The Marquis of *Salisbury* observed, that it was a good systemof parliamentary tactics to endeavour to draw away the attention of the House from the subject of debate; which had been done by the noble President of the Council and the last speaker. The question had nothing to do with currency or free trade; even these and several other topics had been debated. He had nothing to do with the question of a constitutional or an unconstitutional state of parties, but was willing to give Government his support where he could. He felt some difficulty in forming his judgment so as to guide his vote on a motion for an inquiry into the state of the poor, after a debate on taxation, paper currency, manufactures, and the various subjects which had been brought before the House. With respect to the distress of the country, he had heard, with surprise, from the noble Duke (Buckingham), that the labouring classes felt less distress than any others; that as long as the Poor-rates existed they had no reason to complain, for as long as any thing could be got from the land they were the least subject to distress.

The Duke of *Buckingham* explained. He had stated that the labouring poor considered and believed that they had a claim upon the land,—not that they had really a right to the land.

The Marquis of *Salisbury* continued. The explanation did not much alter the state of the case, because it did not touch upon the important point whether the poor were in a state of distress or not. He contended that there was no period in which the poorer class had suffered so much. No parliamentary return indeed had been made to show the extent of the distress; but when he heard the notice of the noble Duke's Motion, he took measures to inform himself on the subject, and he had applied to every parish in the county in which he lived (Hertford) in order to obtain the number of persons unemployed. He would state to the House the result. Out of the whole population of the county, which, by the population register of 1811, was 62,920, the number of males between fifteen and seventy was 34,874, and the number of the working classes out of employ in the county amounted to the alarming sum of 2,200 persons, being six and a quarter per cent on the males, or three and a half per cent on the whole population. Taking this to be a fair criterion of the state of the country, and the Poor-rates were far less in Hertford than in several other counties, being *5s. 8d.* in the pound; and supposing the number of males between fifteen and seventy to be 2,700,000, it might be concluded that the enormous number of 170,000 able-bodied men were at this moment out of employ.

The Earl of *Rosslyn* inquired to what period this account was made up.

The Marquis of *Salisbury* replied, to the 1st of March: and if that number were unemployed on the 1st of March, the number during the winter,—inclement as it was,—must have been more considerable. But even if it was anything approaching to this number,—one-half or one-third,—there never was a subject which called more for parliamentary inquiry. With respect to taxation, the country, as far as he could judge, was grateful for the relief which his Majesty's Ministers had afforded it; but in his opinion, a parliamentary inquiry into the state and nature of the existing distress was, nevertheless, necessary.

The Earl of *Wicklow* wished for an opportunity to explain why he had supported a Motion of his noble relative, for a Committee to inquire into the state of the poor in Ireland while he meant to oppose the present. The Motion of his noble relative was for an inquiry into an evil which was permanent in its nature and duration; the noble Duke, however, wished to inquire into an evil which was new and temporary. With respect to the existing distress, great difference of opinion prevailed as to its causes, extent, and duration. Though several causes had been assigned, yet there was one which appeared to have been generally overlooked. This was the peculiar circumstances attending the last harvest, which had been gathered in, owing to the state of the weather, at a far greater expense than usual. Perhaps this had not been sufficiently considered by landlords when the rents became due, after paying which, the farmers were so exhausted, that they were compelled to dismiss their labourers. This accounted in a great measure, for the increased number of paupers. As to the extent of the distress, a great deal of severe remark had been made on the word *partial*, which was found in his Majesty's Speech. It was highly creditable to Ministers that nothing better could be found to say against them than this minute criticism about a word. But it would not much alter the matter, although the negative form had been used, and his Majesty had been made to say that the distress was not general. A short time since there was a good deal of wit displayed on the word "untoward," which was used in one of the Speeches from the Throne, but he really thought that all such observations were for the most part thrown away. The quarrel in this instance was with a word in the affirmative, but he had no doubt that the Ministers would have been willing to have inserted a negative in its place, and instead of calling the distress "partial" to have described it as "not general," and in that phrase he should have agreed, because he believed that the Ministers were the best judges of the real state of the country at the time the Speech was framed. The extent of the distress, however, he was happy to say, was diminishing; from his own knowledge in the county in which he resided, he could assure their Lordships that the distress was not general, or so great as it had been on former occasions in that county; and though the grazing farmers suffered, the agricultural farmers, on whom the poor chiefly depended, had no reason to complain. Was the distress likely to be permanent? He believed not. All ranks of society appeared to be in a sound and healthy state, and well disposed towards the Government. It was impossible, however, that rents could be kept up, now that the prices of all commodities were reduced. Those who suffered from the reduction were to be pitied, but the necessity was inevitable. He hoped his Majesty's Ministers would be firm, and not give in to any measure like the Motion of the noble Duke, which instead of satisfying the people would spread alarm throughout the country.

The Earl of *Radnor* observed, that he rose principally to make some remarks on what had fallen from the noble Duke opposite (Buckingham). He had objected to the Motion because it was proposed in an unwholesome and unconstitutional state of parties. He (Lord Radnor) could not understand what this meant. The noble Duke said, that such was the state of parties, that a moderate Whig agreed with a true-blue Tory, and therefore the Motion was an unconstitutional thing; but this rather appeared an argument in its favour, and showed that it was so just and proper, that persons who differed upon all other subjects agreed upon this. If the noble Duke's statement respecting the improvement in the manufacturing districts, were correct, and there was really no distress, he wished that the noble Duke would go into the committee, if it were only to show how greatly the people were mistaken. Their Lordships had had a voluminous Petition laid upon their Table that night, signed by 10,000 persons, from no unimportant place—Manchester,—which proved that this great town had not yet discovered that improvement in the state of their business which the noble Duke had announced. The noble Duke had said, that the class who suffered the least from the distress was the poor. The noble Duke was, he believed, an active magistrate; but he must say that in his magisterial capacity he found the case to be very different, and that the distresses of the poor were increasing. It was not long before the time when he began to act as a magistrate that the plan was introduced into his neighbourhood, by a benevolent individual in Berkshire, of making up the wages of the poor out of the rates. He admitted that this plan had led to infinite mischief; but when he heard it asserted, that it had been introduced fraudulently by farmers, he was bound to say that the assertion was not correct. The first person who introduced that system was a clergyman of the name of Watts; but there was no intention whatever, on the part of the farmers, that it should lead to its present melancholy results. In contradiction to the statements of the noble Duke that the labourers were not the greatest sufferers; he begged leave to remind their Lordships of a Petition he had presented from Dursley. He was not acquainted with that town, but he understood that it was conveniently situated on the banks of the Severn. The Petition, however, set forth that the number of rateable acres in the parish was 694, and that the sum raised in the current year for the relief of the poor, independent of 350*l.* the result of charitable contributions, was 3,000*l.* This sum was levied on 400 persons, 750 being too much reduced to contribute, and 1,500 being in such a state that without relief they must have starved. Of those who received relief, many got only 15*d.* per week. He begged to draw their Lordships' attention to a statement from the people of Manchester. Mr. Potter, who was his informant, said, that there were a great number of persons there living on the miserable pittance of 2½*d.* a day. At a public meeting at Huddersfield, in December last, it was stated that out of 29,697 persons, 660 persons were living on 6*s.* 11*d.* per week, 439 on 7*d.* per day, and 13,226 on 2½*d.* per day. This was on the 11th of December; but by letters dated the 28th of February, it appeared that the number of poor had been more than doubled. At Macclesfield, the wages of the silk weavers in 1828, were fifteen per cent; in 1826, thirty per cent; in 1825, forty per cent; and in 1824, sixty per cent higher than now. It was stated too, that these people had been generally obliged to sell their bedding and clothing; that they slept on straw, and were huddled together by half dozens to keep themselves warm. But were these the only places in which they had heard complaints of distress? No: there had been public meetings in almost every county, at which the same cry of distress had been raised. The cry of reform had been mixed with the cry of distress, but that was because the cry of distress had been disregarded. The petition presented from Manchester that night did not pray for reform; but let their Lordships look at what was going on at Birmingham. A political union had been established there by men of great talents, of great knowledge, and of great influence. That union was agreed to with only one dissenting voice out of 12,000 persons. The burden of the song of that union was Reform in Parliament. A noble Lord had told them that the people would look up to Parliament for relief; but he believed that the people were nearly tired of that prospect, and that if relief did not come speedily, they would cease to look to Parliament. The object of the union at Birmingham was parliamentary reform, but the groundwork of that union was the inattention of the House of Commons to their interests. He was a radical reformer,—yes, he was a radical reformer,—he had long since been so, and he became so because he saw that the people were not properly represented in Parliament, and that their petitions were not properly attended to. In these reasons for being a radical reformer, he saw nothing deserving of reproach. He was ready to admit that much relief would be effected by the proposed reductions in taxation; but that relief he was sure would be insufficient to meet the wants of the country. They were promised more next year; but if more could be given, why should it not be given now? The relief that was to come next year would be of little benefit to the people who were living on 2½*d* a day. As to the Motion before their Lordships, he thought the noble Lord who had spoken second, had made the best speech for the noble Duke's Motion. That speech reminded him of the saying—"My wound it is so great, because it is so small." The noble Lord told them they had so many people, and therefore so many classes of distress, that this inquiry would be interminable. The noble Lord, too, had said—he did not know with what design—that one of the consequences of this inquiry would be, that they would be compelled to consider of the propriety of lowering their rents.

Earl *Bathurst.*—I never used the word "compel."

The Earl of *Radnor* did not mean to lay any stress on that word: but allow him to express his opinion, that the noble Lord was right, and that they would be compelled to lower their rents; but not one bit the less if this inquiry were refused, nor one bit the more if it were granted. Whether the Ministers relied on a change in the seasons, or a new organization of the world, to remove the distress, he could not divine, but it was obviously their principle to let things mend themselves, and they held out hopes to their Lordships, as they could not be worse, that they must be better. He did not exactly agree to their conclusion, and therefore he meant to vote for the Motion.

The Earl of *Rosslyn* said, that the noble Earl had misrepresented his noble friend in the greatest possible manner, when he said that his (Earl Bathurst's) speech went to support the present Motion. His noble friend had complained, and very properly, that the terms of the Motion embraced every possible subject of inquiry, and had said that consequently the inquiry would be interminable. The Motion extended to an inquiry into the condition of labourers of all classes, whether in agriculture or in commerce: it extended to artisans of all descriptions; and in order to make the inquiry at all satisfactory, the nature of the employment of such labourers must be examined. Again, the inquiry, by embracing the operation of taxation on productive industry, involved that which was confessedly the most difficult question in the whole range of political economy. This was his noble friend's objection to the committee, and in that objection he fully concurred. The noble and learned Lord at the Table had said, that he should be happy to vote for an inquiry limited in its nature and duration; and they had also heard admissions from other noble Lords, that the various subjects included in the proposed inquiry, ought to be investigated separately. These seemed to be so many reasons against the Motion. But the real question was,—would this inquiry prove satisfactory to the country, or beneficial to the labouring classes? He had no hesitation in saying it would not. Suppose it should be granted, and suppose the noble Lords who were inclined to support this Motion by their speeches as well as by their votes, were all members of the committee; the noble Earl (Stanhope) at the Table would begin by proposing the unlimited issue of paper, the natural effect of which would be the expulsion of metallic currency; another Bank restriction, and a depreciated standard. But then he would be met by the noble Earl (Radnor) opposite, who would call a paper currency "filthy rags," and say that the reversion to such a currency would be an odious and detestable fraud. He should like to hear the noble Earl opposite say to the noble Earl at the Table, "No, I cannot listen to any alteration in the Currency, or to what you call an equitable adjustment; but I am ready to repeal the Corn-laws, and to effect the subversion of all monopolies." Such propositions would be received with horror by the noble Earl at the Table. Then would come his friend the noble Marquis (of Lansdown) opposite, with a recommendation in favour of a silver standard; but here again would ensue an opposition between the noble Marquis and the noble Earl near him, who would contend that silver should be taken at the market price, and that, consequently, the standard should be depreciated six per cent as compared to the Mint price.

The Earl of *Rosebery*, interrupting the noble Earl, said, he never proposed that silver, as now coined, should be the standard, but that gold and silver concurrently, at the market-price, should form that standard.

The Earl of *Rosslyn*, in continuation. Even that depreciation would be a relief, he was ready to admit, but then, it would be a relief of the same fraudulent nature as an alteration of greater extent in the standard. He preferred the bolder proposition of the noble Earl at the Table, and would rather say at once, we could not pay our debts, and, like other bankrupts, openly cheat our creditors than do it, to a certain extent, by these covert means. But the point from which he had been drawn was this—the various, the discordant opinions of the noble Lords who would meet upon the committee. This discrepancy of opinion appeared as strongly as to the extent and nature of the proposed inquiry, as it appeared in the topics to which he had alluded. The noble Lord had told them that this committee might propose a commutation of tithes; and as if this were not wandering far enough from the mark, another noble Lord had suggested, that the committee might make many useful suggestions to landlords as to the management of their property and their estates. Thus, every interest, commercial, manufacturing, and mechanical, — the commutation of tithes, — the operation, direct and indirect, of every tax,—and lastly, the management of private property by private individuals, were all to be included within the range of this committee of inquiry. Now, independently of the objection which he had already expressed to the appointment of this committee, he had yet another objection. He was one of those who believed that a great portion of the distress now existing in the country had arisen from the fluctuating state of affairs at many periods, and in various respects. He believed that the 1*l.* notes had little to do with the dangers of 1826; and that the country banks were pretty solid had been proved, he thought, by the fact, that 160 out of 165 had paid twenty shillings in the pound. At the same time, however, he did not believe that the restoration of the 1*l.* notes would place England in its former situation. He believed that the apprehension and the want of confidence which had produced the withdrawal of deposits and of accommodations, had been the causes of the mischief; and he believed those causes to have resulted from the fluctuations to which he had alluded. He, and others with him, had fortunately resisted interference with the banking-system of Scotland; but he thought the present comparatively prosperous condition of Scotland had arisen from that mutual confidence which had never been disturbed there. He believed, therefore, that the mischiefs they had witnessed in England had arisen by that interruption of confidence which was naturally produced by fluctuating and uncertain prospects. His position was, that there had been vast uncertainty, at various times, in the prospect of affairs in England. Changes in the law, which had been changes for the better — and promised changes, which might also have been for the better—had, nevertheless, produced uncertainty and speculation. The Corn-laws he believed to be not yet firmly enough established to give confidence in their operation, and changes in them are continually spoken of. His opinion was, that certainty as to legislative measures was almost better even than improvement, because he thought security essential to the welfare of a country. What had been the consequences of uncertainty with respect to the Corn-laws? Why, land was in the market and found few purchasers; the value of land was lower than the funds. This must be because capital was withheld, in the hope of employing it more advantageously, or because distrust had taken possession of the capitalist. The wild notions respecting free trade had caused all retail stocks to be kept as low as possible. If there were any foundation for these opinions, see what mischiefs would result from the speculation which so extensive a committee of inquiry as this would give rise to. When he looked at the discordant opinions of the noble Lords who supported this Motion, he could consider it only as the single, the isolated point, upon which those who were not satisfied with his Majesty's Ministers could be brought to agree. He could rather wish, that if accusations were intended to be made against the Government, they should be brought forward openly and specifically; and as this would be much more fair, so it would prove the sincerity of noble Lords, if they brought forward separately each of the questions which were included in this inquiry, and took a discussion upon each, dealing with it according to its own merits. But such a mode would separate the upholders of the present Motion; for no two of them could agree upon the points included in it if taken by themselves. He thought, however, looking at the reduction of taxation which had already been effected, and at that which had been promised, the time was unfavourable for opposition to the Government. In the two great branches of the collection of the revenue, and of colonial expenditure, every possible reduction had been promised. A commission, which would cost the country nothing, because it was to be formed of members of the Government, would inquire into the means of reducing the colonial expenditure. He thought that such a course was much more wise than it would be to make reductions blindly, and at one sweep, as the noble Earl (Radnor) opposite recommended. He could not agree with the same noble Earl in the assertion, that the country had no confidence in the present Administration, nor could he admit to him that the distress which did unhappily exist, had been of so great duration, or that it was so intense now as the noble Earl had represented it. The consumption of tea in the last year had been equal to that of the preceding year; the consumption of coffee had increased; the consumption of sugar, it was true, had decreased, but to no great extent; and the consumption of spirits had increased 2,000,000 gallons. This, he admitted, was not a proof that distress did not exist, but it was a proof that the distress could neither be so general nor so intense as it had been represented to be, for otherwise, the consumption of articles of universal use must have decreased. So, again, there had been an increase in our exports of manufactured goods, which proved that there must have been employment for labour, though the profits of the manufacturers, and the wages of the labourers, might have been small. The noble Earl, alluding to what some noble Lords had called "the irruption of the Irish," which, he said, was not disadvantageous to the English farmers and landlords, for by cheap labour the profits of the farmer and the rents of the latter were increased, added, that he could never consent to make a distinction between English and Irish labourers, and concluded by declaring that he should vote against the Motion.

The Earl of *Carnarvon* said, that he had proposed to recur to a silver standard, and he did it partly from thinking that the present standard was so completely an experimental one, that we could not permanently adhere to it. What he wanted was, that silver, not gold, should have been made the standard of the currency. As far as a concurrent standard of both metals was concerned, one must be subordinate to the other; and he would have had silver, allowing gold to pass at an agio. He would also say one word on the subject of small notes. He attributed the present distress, which was different from that of former years, inasmuch as it affected both farmers and manufacturers, to both classes being deprived of their usual home market, which grew, in his opinion, out of the distresses of the agriculturists, caused by the alteration relative to the small notes. He had anticipated, in 1826, these results, and had then pointed out the danger to credit, and the general distress which must ensue, if their Lordships put an end to the small notes. As he had then anticipated also, the people had been reduced to paupers. He believed that there were more small notes in circulation than the Ministers thought, and that their measure was more sweeping in its consequences than they had expected. This state of things might, he confessed, have been advanced or influenced by other causes, as well as by the currency. He thought that the greatest boon the country could at this time receive, would be to forward those negotiations with the Bank of England which could not long be delayed, and to do so with a view of assimilating our banking system to that of Scotland, by placing it upon a broad and secure basis. If they were also to allow an issue of small notes—such an issue as would make the *5l.* notes circulate as easily as formerly—he thought that an additional benefit would be conferred upon the country. He would now detain the House no longer. Allow him, however, to say, that in voting for the Motion, he did so from a conviction that this inquiry was due to the wants and to the wishes of the people, and that he was far from being influenced by any desire to harass the Government.

Earl *Gower* said, he should vote against the Motion, because he thought it could lead to no beneficial result, and because he was of opinion, that the conduct of Government, in the reduction of taxation, and in the promise of farther reduction, deserved and invited the confidence of their Lordships and of the country. By the appointment of such a committee as that now proposed, he was very much afraid that they would only excite hopes which they would find it impossible to realize.

The Earl of *Darnley* said, he should also oppose the Motion, because he could not bring himself to believe that it could lead to any good practical result.

Lord *Holland* said that, after the vote he had given on a former occasion, he felt it necessary to trouble their Lordships for a few minutes in explanation of the reasons which induced him to vote in favour of the noble Duke's Motion. He must confess that he was a little surprised at the course which his noble friend (the Earl of Darnley) near him, had declared that he should adopt; for, if he were not very much mistaken, the last time he had heard his noble friend speak, he had taken credit to himself for having proposed an inquiry into the condition of the labouring classes of Ireland, which inquiry the other House of Parliament had just consented to institute, though their Lordships had refused to follow its example. But his other noble friend (the Lord Privy Seal) had surprised him still more, when he painted the evils and dangers which would result from the institution of the inquiry proposed by the noble Duke; for his Majesty's Ministers, as he understood, had already agreed elsewhere to appoint a committee to inquire into the condition of the labouring classes of Ireland. His noble friend had said, that he knew of no distinction, and that he would hear of none, between the English and Irish labourer; and yet his noble friend, with great inconsistency, made this remarkable distinction; namely, that the English labourers were full of hope, violent, sanguine, quick of imagination, and therefore no inquiry must be made into their condition: whereas the Irish labourer, forsooth, was a quiet, unhoping, unthinking person, and therefore his condition might be inquired into. If any thing were to be done, he would wish Parliament to have some share in it. He was not a radical reformer, though he had been supposed to have the taint of radicalism in him; yet he should not be prepared to urge such arguments as some noble Lords, in high situations, had done in favour of radical reform, which amounted to this—that Parliament had nothing to do, and was not to sympathize, with the people—that the forms of Parliament were such, that in proportion to the degree of distress existing, in the same proportion Parliament became utterly impotent and useless. What was that but an argument for radical reform? But the noble Lord asked, of what use would a committee be, composed of persons of all opinions? Let him look to his own committee. Did he choose for it persons of one opinion? The noble Lord's argument went to the complete annihilation of the functions of Parliament. It was asked, what was to be the practical result of the committee? Why, if he knew that, he would not ask the House to go into a committee at all. The great merit, he thought, of the present Motion, unlike, in that respect, the motion lately brought forward by a noble Earl (Stanhope) was, that it excited no expectations. He thought it showed a want of feeling in a popular Government not to enter into an inquiry on which the feelings of the people were excited. It might be very agreeable to noble Lords on the other side to have every thing emanating from the Government, and not from Parliament, and to say that such a man did this, and such a man that; but he did not wish to give up what he considered his right—that of counselling his Majesty in what concerned the interests of the State. He believed that the Crown had been lately addressed to reform the Parliament, and even that the noble Duke opposite had been solicited, from populous places, to redress the grievances of the nation. These he considered as extraordinary signs of the times, which it was their Lordships' duty to investigate, and try to correct. This was the duty of Parliament, not of individuals. Noble Lords over the way might hold the opinion, *Omnia bene acta nostro Marte agentur*, but in that he could not concur, and desired, not that the Crown alone, or the Ministers alone, should promote the happiness of the people, but in every act for that purpose he wished the Parliament to concur. He had said thus much to vindicate the vote which he should give in favour of the present Motion, but in doing so he did not mean to join the noble earl (Stanhope) in tampering with the Currency. He begged to add, that he did not agree with that noble Earl as to the causes of the distress. What they were, he who ran might read. They had originated with those who now lamented their effects. He could say "my withers are unwrung;" he had no hand in those causes, but as the distress existed, he was ready cordially to join with those who proposed to try if it could be alleviated. Although he was not sanguine as to the result, he considered that inquiry would be useful, and the evil of refusing all inquiry great and certain.

Lord *Ellenborough* agreed with the noble Baron who had just spoken, that this was not the country in which it would be proper to adopt the principle of absolute government, but he thought that the noble Lord could not impute to the Government any intention of arrogating to themselves the right of doing every thing that was to be accomplished for the people. The Ministers objected to the appointment of the committee moved for, because they thought that the object proposed could not be accomplished by means of that committee. The appointment of the committee would hold out expectations which could not be realized. It had been said, that noble Lords of all opinions had been appointed as members of the committee sitting on the East India affairs; but let their Lordships remember, that that committee was to deal with facts, and the one moved for now was to deal with opinion. He never knew a committee, the business of which was to examine into facts, which thoroughly investigated the subject; and he would ask their Lordships, what would be the result, if a committee was appointed to deliberate on opinions. He thought the appointment of the committee would create great mischief, as it would lead to the apprehension of change; and what the country required now was stability. The committee would be called on to investigate all the questions which had been submitted to Parliament for the last ten years, Agricultural Distress, Free Trade, Poor-rates, Game-laws, Artizans, Machinery, County-rates, paying labourers out of the Poor-rates, Prisons, Combination-laws, Parish Vestries, Emigration, Friendly Societies, Parish Settlement, and Irish Vagrants. It would be a committee co-extensive with the whole science of political economy, and would last during the life of the longest lived member of the committee. On three subjects—the Poor-laws, Corn-laws, and Currency—no less than thirty-two writers had written pamphlets within a short period. On the Corn-laws there were fifteen, on the Currency seven, and on the Poor-laws ten. These persons must be examined; and as the Currency seemed to be one of the principal objects of inquiry, he thought that Mr. Tooke's pamphlet, called "The Currency free from all Mystery," would be a good thing to begin with. He asked their Lordships how the businesss of committees were conducted? After the first few days, the whole business was done in the presence of two or three Peers. Several of those who attended entered into private conversation, and the whole scene exhibited so much confusion, that the short-hand writer was quite in despair and agony while attempting to write down the answers to the questions put to the witnesses. He objected to the appointment of the committee, because it would be a gross, wilful, and mischievous delusion; and after the announcement made to Parliament respecting the intention of the Government to reduce the taxation far beyond what any person had expected, he did not think that any noble Lord would come down to the House with the present Motion. If noble Lords were desirous of maintaining the honour, character, and respectability of Parliament, it was not by a motion, having no public end in view, that such an object was to be gained.

The Marquis of *Lansdown* had at first only intended to state his reasons for supporting the Motion before the House, but after the speech of the noble Lord, he felt bound to stand up in favour of the practice of Parliament, and to maintain the utility of committees of their Lordships' House. The noble Lord had, by throwing ridicule and contempt on committees in that House, furnished the best argument possible to the radical reformers, who could now tell the people of Manchester and Birmingham, to inquire themselves respecting their own distresses, for that inquiry by Parliament was useless. But such had not always been the opinion of the noble Lord, for he remembered that the noble Lord had concurred with him, some years ago, as to the propriety of appointing a committee on the whole state of Ireland. Did the noble Lord do so, he would ask, because he thought that all opinions were alike on the subject? The noble Baron objected to the Motion that it would be necessary to read all the books which had lately been published on the multifarious topics it was supposed would engage the attention of the Committee, and to examine all the authors of them. But how was it, he would ask, that the noble Baron made no such objections when he voted for the Committee to inquire into the affairs of Ireland, and when he proposed the committee to inquire into the affairs of India. On both these subjects there were as many pamphlets and books written, as on the Currency or on the Corn-laws. The noble Baron had not, when he moved for the Committee on Indian Affairs, mentioned one work (he did not know if the noble Baron meant to make the members of the Committee read it) which would put to shame all the puny pamphlets he had just referred to; he meant the mass of 90,000 pages, which he said had passed through the office of the Board of Control. Did he think that all these pages must be read by his Indian Committee, or did he suppose that they would be less useful to elucidate the inquiry than a few anonymous pamphlets on the Corn-laws? He meant to support the present Motion, because it was a practical motion for a practical purpose. He had opposed the motion of a noble Earl (Stanhope) because he considered it to be of too general a nature. In opposing that motion, he stated, that if any specific inquiry should be proposed for a practical purpose, to that inquiry he would give his support; and he thought it his duty now to redeem that pledge. All those who knew the manly character of the noble Duke who made the Motion, could not suspect that there lurked behind the terms of the Motion any concealed design, and therefore he felt no hesitation in supporting it, especially as he considered the present time well fitted for a dispassionate inquiry. He begged to be allowed to say a few words in reference to some previous observations of his which had been commented on by the noble President of the Council. He deemed the opinion which he had formerly given relative to returning to the old silver standard of currency, of such little importance, that he should not have again adverted to it had it not attracted the noble Earl's attention and his remarks. He had formerly, he admitted, made a mistake in saying that before the year 1795 silver was a legal tender up to *5l.*, whereas, in fact, it was then a legal tender up to *25l.*; but he had then also stated that silver by weight might be tendered to any amount. He had stated that there was a difference between the standard and currency, and that then we had, in fact, a double standard; for if a party could tender silver by weight when it was cheaper than gold, there was a silver as well as a gold standard. The noble Earl might perhaps remember, that he was a member of the Committee, to which he had also the honour to belong, which recommended that a bar of gold should be made the standard: the proposition was adopted by the legislature, and the bar governed the Currency till Ministers found it necessary to come to Parliament and have it altered. While it remained the standard, however, and this was a curious fact, only one bar of gold was ever asked for, and that by a noble Lord who probably meant to preserve it in his family. That standard however did for a time govern the Currency, and so would silver, while it could be paid in weight, and was cheaper than gold. He hoped that when their Lordships considered the state of the labouring poor of this country, they would not be induced to abstain from attempting to ascertain the causes of it by the apprehension of being led away by other subjects. The noble Lord said, that the great object of the country was to enjoy stability. But it must be stability in good, and stability of useful institutions, which the noble Lord had described in a way not calculated to ensure their stability, not—stability of the state in which the poor of the country now were plunged, and of the unnatural relation which at present existed between the poor and their employers. The noble Duke (Richmond) had said, that it was not an alteration, but a different administration of the Poor-laws which he wanted; but he (the Marquis of Lansdown) thought, that that system which forced magistrates in different places to adopt different plans of treating the paupers, required alteration. He called their Lordships' attention to a statement of the system, as exhibited in Dorsetshire. A magistrate in that county had made inquiries on the subject, and the result of his labours was, that out of twenty-four parishes which came within the scope of his investigation, twenty were nearly in a similar situation. In each there was one-third more of labourers than could find employment in cultivating the land. This superabundant population—it was a curious circumstance—was composed of the youngest and ablest men. The overseers maintained the married men and their families, but refused to give any thing to the unmarried and young men, in the hope of thereby driving them out of the parish. The result of this system was, that the farmer gave the minimum of support for the minimum of labour; and the consequence was, that the cultivation of land suffered considerably. He did not at the present late hour intend to enter fully into the question of settlement, but would merely observe, that that was one which required great attention on the part of their Lordships. He was glad to learn that the taxation of the country was to be reduced; but he hoped Government would not stop where it had begun. He wished to see the duty on sea-borne coal repealed, as he thought that a great impulse would be given to trade by taking off that duty. The sugar-duty was another tax he should like to see diminished, and he believed that the revenue would not be thereby diminished. While in England each individual consumed 22½lb., in Ireland each individual only consumed 4½lb. In 1824 Lord Liverpool, taking into consideration the state of Ireland, reduced the Assessed Taxes and the taxes on spirits, and the following was the result:—In January, 1823, the payments into the Exchequer amounted to 3,528,000*l.*, and in January 1829, after the reduction of taxation, the payments amounted to 3,749,000*l.*, being an increase of above 200,000*l.* He thought that, in the present state of the country, Parliament was bound to show itself alive to the distress of the people. He was one of those who indulged the hope that a great part of the distress was of a temporary character. He would not be so sanguine as to state that the whole was; but how much of this distress was temporary, and how much permanent, was a subject which ought to engage the attention of Parliament. He gave his support to the Motion of the noble Duke (Richmond), because he believed that in relation to some portion of the pressure, a committee might be enabled to suggest measures that would effect a considerable improvement in the state of the working classes.

The Duke of *Wellington* quite concurred with the noble Marquis who had just sat down, that it was desirable for their Lordships to adhere to the usual practice of Parliament, in making inquiries, such as that proposed, by means of committees; but he was also of opinion, that in these matters their Lordships ought to adhere to the practice of Parliament entirely and closely, and that practice had invariably been to this effect;—That when a noble Lord moved for the appointment of a committee of inquiry on any particular subject which he wished to bring under consideration, he stated specifically to the House what was the object which he intended to effect by means of a committee. That was the invariable practice in moving for such committees: and when he found it departed from in the present instance,—when he observed that it was very doubtful what was to be the particular object of the proposed committee, and that several noble Lords who had supported the Motion had each stated a different subject for inquiry,—he thought the House had reason to doubt whether there was not some object in the present Motion beyond that which appeared on the face of it. The noble Duke, in bringing forward the subject, stated that it was a motion for inquiring into the internal state of the country, with a view to the condition of the labouring poor, and in order particularly to ascertain the manner in which taxation affected productive industry. As the noble President of the Council truly stated, there was not a single branch of the Government, or of the internal policy of the country, which might not, and would not, come under discussion before a committee appointed according to the terms of this Motion. Each of the noble Lords who supported the Motion stated a different object for the Committee; he had taken the trouble to write these objects down as they were mentioned, and he declared he believed there were not less than twenty important subjects proposed for consideration, including even a measure relative to the management of private property; and three or four questions concerning currency and coinage, some requiring the adoption of a silver coinage on one system, and others upon another. When he found a motion thus proposed and supported,—when he found that the words of it might be made to include every thing,—he concluded that the purpose of noble Lords was to go into what inquiries they liked, or if not, that there was some ulterior party object in view, directed against the existing Government. The noble Baron on the back bench had misunderstood his friend the noble Earl who opposed the Motion. The noble Baron was mistaken when he assimilated the committee moved for by the noble Duke to a committee lately appointed on the Motion of an hon. Gentleman in another place. That was a committee appointed to investigate the expediency of establishing Poor-laws in Ireland; and the Gentleman who moved its appointment stated specifically—at least so it appeared, as far as the report of what he said upon that occasion went—what object he had in view in his motion, and to what points he intended to direct the inquiry which he proposed to the House of Commons to institute. The conduct of the noble Duke (Richmond) was very different. A noble friend of his, it was true, had complained on a former night that the same Ministers who now consented to that inquiry in another place, had objected to a similar motion of his own two years ago. This was perfectly true; the ground of objection which he had stated to the noble Lord's Motion at the time was, that the noble Lord intended to propose the establishment of poor-laws in Ireland; and as he, in common with their Lordships, were not prepared to consent to the establishment of poor-laws in Ireland, he had opposed the motion, and the House agreed with him in rejecting the noble Lord's proposition. A noble Lord, in alluding to the recent reductions of taxation, stated that he felt full confidence in the intentions of his Majesty's servants to make further reductions if they found it possible to do so. The noble Lord thought proper to state his confidence in Ministers,—a confidence which he (the Duke of Wellington) trusted they would appear to merit,—and the noble Lord refused his assent to the Motion now before the House on the ground that it implied a want of confidence in his Majesty's servants, which was not warranted by their acts. The Motion was neither more nor less, in point of fact, than a demand upon their Lordships, within eight-and-forty hours after the Minister had come down and proposed a large reduction of taxation, to agree to a declaration of want of confidence in the intention of Government to carry on the public service as economically as possible, and to do every thing in their power to relieve the country. The noble Marquis misunderstood what had been stated by his friend the noble Baron. He described the number of subjects proposed by different noble Lords for inquiry, and he went further, and said, that no doubt each of these noble Lords thought he should be a member of the Committee if appointed, and he stated the inevitable consequences of such a committee being established, and the manner in which the business would, in all probability, be done under such circumstances. The noble Marquis must have seen the conduct of his noble friend upon different committees, that it was that which became a Minister of the Crown performing his public duty, and endeavouring, by every means in his power, to elucidate the subjects under consideration upon such occasions. The noble Marquis forgot a material feature in the committee appointed a few years ago to inquire into the whole state of Ireland: he was a member of that committee, as well as a noble Earl who had taken a part in the discussion, and he begged leave to remind the noble Earl, that there was one subject which, on account of the difference of opinion existing upon it, was wholly excluded from consideration.

The Marquis of *Lansdown.*—It was excluded one year, and included the next.

The Duke of *Wellington,* in continuation, thought the noble Marquis would find that his statement was correct, and that the matter in question was excluded from the inquiry, because it was considered impossible at the time to come to an agreement upon it; and besides, it was thought a subject too important to be taken into consideration by the committee. The same might be said, to a certain extent, with respect to the great and important question of Taxation. He must here observe, with respect to this committee, upon the appointment of which so many noble Lords had spoken, and to the Motion for forming which so many noble Lords had given their support, that in point of fact many of those who had said that they intended to vote for the noble Duke's proposition had declared their opinion that it would never produce any result. The noble Lord who sat on the cross-bench had stated that it was probable there would be no result from the appointment of a committee. The noble Lord appeared to dissent from this; but he begged his Lordship's pardon, he had taken down his very words, and they were, "it cannot be expected that relief should be given." But it was to afford relief that it was proposed to appoint the committee, and if "relief cannot be expected," for what good object move for its appointment? It was not, surely, in order that the discussion of a variety of questions before the committee might excite in the minds of the people hopes of some favourable result, which expectations, according to the noble Lord, must necessarily be disappointed! Surely their Lordships would not appoint a committee in order merely to give noble Lords an opportunity of discussing a variety of subjects in the committee without the prospect of any solid advantage arising from their discussions. Nor could it well be believed that this last effort of the noble and learned Lord was made with a view to annoy and derange the King's Government. Supposing that no result could be expected from the labours of a committee, was a committee to be appointed to try this question—did Government, or did it not put the truth into the King's Speech with regard to the state of the country? On former occasions he had stated various reasons for believing that the truth was stated on the subject in his Majesty's Speech, and he had not since altered his opinion—he was fully convinced that there was great distress in the country; but he did not believe that the distress was general, and he did believe that it was gradually subsiding: such was his belief at the present moment. But a noble Lord who formerly attacked Ministers for stating that the relief of many of the evils complained of was beyond the power of Parliament had stated to-night that a committee might not be able to afford relief. Ministers stated, in the King's Speech, that his Majesty was convinced no pressure of temporary difficulty would induce Parliament to relax the determination it had invariably manifested to maintain inviolate the public credit, and thus to uphold the high character and permanent welfare of the country. The King's servants had thought it their duty to propose a large reduction of taxation, in order to lighten the pressure of the public burthens, a measure that he was happy to say had given great satisfaction to many, and which had been handsomely mentioned by his friend, the noble Duke at the Table, and by a noble Marquis and Baron who took part in the debate. In executing this project, Ministers had done no more than what they thought to be their duty on this occasion, with reference to the public advantage; and if, instead of a remission of taxation, they had been under the necessity of maintaining the Revenue, and keeping up the taxes of which they had been enabled to propose the repeal, they would have endeavoured to prevail on Parliament to maintain these taxes as readily and manfully as they had proposed their repeal. It afforded him great gratification to believe, as he conscientiously did, that this measure would give relief to the country without impairing the necessary efficiency of the public establishments. He thought Ministers had chosen the best mode of affording relief that was in their power; they had repealed precisely those taxes that, as compared with others, would take the smallest sum out of the Treasury, and put the largest amount into the pockets of the people; he was satisfied that the repeal would be a great relief to the country. The noble Marquis, and other noble Lords, stated their expectation, that the repeal of taxes would be carried further. He would not, at that hour of the night, go into calculations which induced him to believe that, certainly at the present moment, reduction of taxation could not be carried further consistently with a due regard to the security of the country. As Government had proceeded hitherto on the principle of reducing every establishment and office as far as possible, which was not necessary to the public service, it would continue the same practice, and endeavour to reduce every branch of expenditure not absolutely necessary for the attainment of that object, hoping thereby to produce such a saving as might place other resources of economy, and the means of a further reduction of taxation, at their disposal. If Ministers succeeded in this object, so much the better; but if not,—if the public service prevented it, they would throw themselves with confidence upon Parliament, and in the discharge of their duty trust to its aid for support. If the motion of the noble Duke had been a motion to inquire into the state and administration of the Poor-laws, it might have been worth while to consider whether or not it ought not to be adopted; but at the same time he begged to remind the House, that the subject of the Poor-laws had been already repeatedly under consideration,—that there were now upon the Table of the House of Commons, and he believed upon that of their Lordships' House, reports of two or three committees, some of them detailing the very facts contained in the letter which the noble Marquis had read to the House: consequently Parliament, Government and the Public, were in complete possession of these facts, and the ends of inquiry, as far as the attainment of information was concerned, had been accomplished. It should be recollected that some of the greatest statesmen that ever lived in England—that Mr. Pitt and Mr. Windham, had attempted to deal with the difficult subject of the Poor-laws without success. It was a subject equally important, difficult and complicated; the system, as far as local practice and arrangements went, varied almost in every parish in England, more or less, and, he repeated, it was almost impossible to deal with it successfully. He appealed to the noble Earl whether it were not a subject which Parliament should approach with the utmost caution, and meddle with only after a most deliberate inquiry; they ought not to enter into it hastily, or at an inopportune period like the present: it would be better to wait till the country was restored to a state of complete prosperity, and then investigate the subject with a proper degree of attention.

Earl *Stanhope* gave his cordial support to the Motion of his noble friend, the Duke of Richmond. The question was, whether the country were not afflicted from one end to the other with distress unparalleled in our history—of intolerable pressure, which it was impossible should continue without exciting in all classes, even amongst the most loyal and well-affected to our established institutions, a spirit of discontent which might ultimately lead to their overthrow. The noble Earl having recapitulated the two objects of the noble Duke's motion (which have been already frequently alluded to in the course of the debate), proceeded to say, that he never thought taxation, *per se*, the cause of all our difficulties, and of the dangers by which we were menaced: at the same time, if it were practicable at once to return to the expenditure and taxation of 1791, the change might afford us some relief; but as that was impracticable without a convulsion of society, the only thing that could be done was to replace the country in its former situation in other respects, so as to enable it to bear up against taxation without suffering an overwhelming pressure. Unlike the political economists of the day, he proposed no untried theory, no crude system of his own, he merely asked Government to return to the political principles of Lord Liverpool, previous to 1819, after which period, unfortunately, his whole political life exhibited a strange and pernicious contrast to the principles he had formerly professed. He called upon those who reverenced the memory of Lord Liverpool, and supported him by their votes in his best days, to pursue that line of conduct which could alone ensure prosperity. Expectations had been held out, but without assigning any sufficient or well-grounded reasons for entertaining them, that the distress now generally experienced would pass away. That it would at last pass away he had not the least shadow of a doubt; but, unless the evils complained of were remedied, other things would also pass away along with it; the debt and the taxes would pass away first, and it was doubtful whether the Constitution of the country would not pass away also. It was vain for the House to flatter itself with the hope that with the existing pressure of public grievances, it could refuse all inquiry, and still preserve the confidence and affections of the people. From all the information which reached him from every quarter, and seeing the indisposition of Ministers to afford adequate relief or inquiry, he considered (pray God the fear was unfounded!) that the present state of things would be best described by the pithy sentiment of a celebrated foreign statesman (prince Talleyrand), who in reference to the political aspect of affairs at a certain period, declared that it was "the commencement of the conclusion." That conclusion, however the noble Duke might be confirmed in his course by majorities that enabled him to stifle inquiry, would at length arrive if he persisted in his present measures. Not being a radical reformer, like his noble Friend near him, but being attached to moderate and salutary reform, he viewed such a state of things with feelings of great apprehension.

The Duke of *Richmond* said, in reply, that he could not help expressing the feelings of astonishment with which he had heard the speech of the noble Lord, the President of the Board of Control. If that speech had been uttered out of the House, he should have designated it a libel on Parliament. If it were spoken out of doors, and there was no law sufficiently strong to reach such language—language in the highest degree inflammatory—he should then wish that a law might be framed for that purpose. That was the feeling with which he heard the speech of the noble Lord. But, on reflection, he feared that he had misunderstood the noble Lord; for surely the noble President of the Board of Control could not have been speaking of the House of Lords. No; he was opening the doors of the Cabinet—and informing their Lordships, that there presided in that Cabinet one man of great and commanding talent, who carried every thing as he pleased. He admitted the great talents and industry of that noble Duke, and he believed, that if he were properly advised and informed, he was the man who would do essential service to the country; but, unfortunately, that noble Duke was not so advised. The noble President of the Council, though he said that he would vote against the Motion, conducted his argument in such a way, that many noble Lords must have thought that he had risen to second it. Ministers did not oppose the Motion in a plain and direct manner; but they met it by the hacknied plea, that it ought to be refused, not because it did not rest on sufficient grounds, but because, forsooth, it was got up from factious motives. Was that an answer which would satisfy the country? Was it an answer which would satisfy any man with an upright, honest, and feeling mind? If it were got up in the spirit of party feeling, then he was the guilty man; but he disdained, and he wholly disclaimed, the imputation, as perfectly unfounded. His character—if an humble individual like himself might speak about character—ought, he thought, to shield him from such a charge; and he hesitated not to say, that acting conformably with the character which he had borne through life, if he had wished to make a motion to turn out his Majesty's Ministers, he would have done it in a manly and straightforward way, and not by a contemptible side-wind. It might be parliamentary, for aught he knew, to make charges of this description, but he was sure it would not be allowed in civilised society to impute motives to a man which did not belong to him, and with which he was totally unacquainted. He spoke strongly, because he felt strongly, well knowing that the charge had no foundation in reality. Before their Lordships could negative his motion with propriety, they had to get rid of this one appalling fact—that there were at this moment thousands of Englishmen in a state of misery and degradation so melancholy, that the slaves at Sierra Leone were absolutely better off. They were compelled to live, if it could be called existence, upon 2½*d.* per day; and, therefore their Lordships were bound to inquire into and ameliorate their situation. The noble Duke (Buckingham), as a consolation to the people of this country, had stated that there was great distress in France, and also in America. With respect to France, he had not the means of judging of the correctness of that statement; but as to the situation of America, he believed the noble Duke was mistaken. He would, even at that late hour, refer to a document, which would prove that he was mistaken; he meant the speech of the President of the United States to the Congress at the opening of the Session: "The task," he said, "devolves upon me, under a provision of the Constitution, to present to you, as the federal legislature of twenty-four sovereign States, and twelve millions of happy people, a view of our affairs." He called on their Lordships to notice that; twelve millions of happy people! "Would to God," exclaimed the noble Duke, "that the King of England could state, that out of the twenty-four millions of subjects over whom he reigned, twelve millions were contented and happy; but, instead of that, they were surrounded with the most deplorable misery and distress—a degree of distress which Ministers themselves did not dare to deny, although they would not inquire into it.' The First Magistrate of the United States went on to say, "In communicating with you for the first time, it is to me a source of unfeigned satisfaction, calling for mutual gratulation and devout thanks to Providence that we are at peace with all mankind, and that our country exhibits the most cheering evidence of general welfare and progressive improvement." Thus it appeared that thanks were given to Providence in America, whilst in England Providence was graciously permitted to bear the imputation of causing national distress. This was the case with America, and therefore he had a right to say that the noble Duke had been very much misinformed. But perhaps the noble Duke thought that the speech of the President was not worthy of more credit than speeches delivered elsewhere. One cause assigned by the noble Duke was, that we got fresh butter from Holland by steam. Now he would read an account of the butter from the Netherlands. In 1826 there were 160,000 cwt.; in 1827, 136,000 cwt.; in 1828, 143,000 cwt.; and from other countries there were imported, in 1826, 273,327 cwt.; in 1827, 291,579 cwt.; and in 1828, 278,000 cwt. Here, therefore, was a decrease, and thus the argument founded on the butter melted away. A noble Marquis (the Lord Lieutenant for Kent) had adverted to the different parties in the State. Now he begged leave to declare under what party he ranked himself. He was not of any theoretical party; he was of that party—of that class of men, if such a class existed—who, in their public actions, had no other object in view but the good of their country. He belonged to that party which had the welfare of the country most warmly at heart: he would tell the noble Lord, and all who talked of factious motives being the foundation of his conduct, and that of his noble Friend who supported him, that he would never be able to influence his vote in that House, or to intimidate him and his noble friends by calling them ultra-tories, ultra-whigs, or whatever other name they might be pleased to use. He would vote for Ministers when he thought they were right, and he would oppose them in every fair parliamentary way when he thought they were wrong. He trusted that the mere imputation of being actuated by factious motives would not be deemed sufficient to induce their Lordships to say 'Not-content' to his Motion. He implored them to pause and consider this subject well. He conjured them not to give the radicals abroad this additional reason for reproaching them, that when a case of distress was fully proved and substantiated—as he had a right to say it had been by himself, and still more ably by his noble friends who had supported him—they had, without assigning any reason, refused inquiry. He pledged his honour that he had no motive in bringing forward this motion but the good of his country. Neither had those who supported him any object but the public benefit. They had come forward from a sense of duty, to support this question, and for them he demanded that justice which he called for for himself,—namely, that their Lordships should believe that this was a straightforward, plain, and manly Motion.

Their Lordships then divided, when the numbers appeared — Content, present 39, Proxies 22, Total 61, Not Content, present 69, Proxies 72; Total, 141.—Majority 80.

List of the Minority and Majority.

MINORITY.

Dukes.
Cumberland
Gloucester
Richmond
Argyll
Marquisses.
Lansdown
Salisbury
Clanricarde
Sligo
Ailesbury
Earls.
Winchilsea
Carlisle
Ferrers
Cowper
Tankerville
Stanhope
Radnor
Digby
Mansfield
Carnarvon
Romney
Eldon
Rosebery
Falmouth
Stradbroke
Kinnoul
Viscounts.
Granville
Goderich
Melbourne
Maynard
Barons.
Teynham
King
Holland
Vernon
Calthorpe
Lilford
Redesdale
Rivers
Seaford
Bishops.
Bath and Wells
Llandaff

PROXIES.

Dukes.
Newcastle
Grafton
Devonshire
Marlborough
Marquis.
Anglesey
Earls.
Guilford
Orford

Sheffield
Bradford
Manvers
Lords.
Walsingham
Wodehouse
Stowell
Kenyon
Churchill
Northwick
Lorton
Haddington
Howard de Walden
Yarborough
Feversham
Duncan

MAJORITY.

The Lord Chancellor
Archbishops.
Canterbury
York
Dukes.
St. Alban's
Buckingham
Gordon
Wellington
Marquisses.
Bute
Bath
Conyngham
Hertford
Camden
Cholmondeley
Earls.
Bathurst
Rosslyn
Shaftesbury
Pomfret
Malmesbury
Charleville
Jersey
De La Warr
Dudley
Wicklow
Hardwicke
Verulam
Glengall
Westmorland
Cornwallis
Chesterfield
Huntingdon
Amherst
Aberdeen
Gower
Cassilis
Darnley
Clare
Clanwilliam
Fife
Viscounts.
Arbuthnot
Hereford
Melville
Barons.
Arden
Bayning
Clifden
Clifford
Colville
De Dunstanville
Dunally
Ellenborough
Farnborough
Forrester
Glenlyon
Harris
Hill
Manners
Maryborough
Montagu
Prudhoe
Saltoun
Stourton
Wallace
Wharncliffe
Willoughby d'Eresby
Bishops.
Bristol
Rochester
Chester
London
Winchester
Oxford

PROXIES.

Dukes.
Clarence
Beaufort
Bedford
Buccleuch
Leeds
Manchester
Montrose
Northumberland
Rutland
Marquisses.
Cleveland
Donegall
Downshire
Lothian
Stafford
Thomond
Tweeddale
Winchester
Earls.
Abingdon
Aboyne
Ashburnham
Balcarras
Belmore
Breadalbane
Brownlow
Caledon
Cardigan
Cathcart
Chatham
Courtown
Elgin
Errol
Glasgow
Harcourt
Hopetoun
Howe
Lauderdale
Macclesfield
Morton
Poulett
Scarborough
Somers
St. Germans
Waldegrave
Warwick
Wilton
Viscounts.
Beresford
Exmouth
Gort
Northland
Sidney
Barons.
Abercromby
Bagot
Clinton
Dormer
Douglas (of Douglas)
Dufferin and Claneboye
Le Despencer
Monson
Plunkett
Ravensworth
Rolle
Scarsdale
Selsey
Skelmersdale
Stafford
St. Helens
Stuart de Rothsay
Bishops.
Carlisle
Chichester
Hereford
Lichfield
St. David's

HOUSE OF COMMONS.

Thursday, March 18.

MINUTES.] Returns presented—Of the period at which the Cork Foundling Hospital was first established, and statements relative thereto:—Copies of Memorials to the Irish Government on the subject of advances to build the Court House at Kerry. Of Memorials to the Commissioners of Customs relative to the office of Coal Meters, Dublin. The expenditure of the Commissioners of Public Records in 1829, and Works published. The number of Letters, from the Solicitor to the Board of Taxes to persons in arrear in 1829, and charges thereon. Writs or Processes issued by the Solicitor. Letter from Mr. Abbot, dated Nov. 27, 1829, with the observations of Messrs. Brooksbank and Beltz. A Scale of Stamp Duties on Bills of Exchange. Accounts of the Notes of Country Bankers; Notes stamped; and of the Bankers who have commuted for the Stamp Duty since 1826. Accounts relative to the Penitentiary at Milbank; and to the Irish Tontine Annuity office. Accounts of the Corn, Meal, and Flour imported from Ireland during the last two years. Copies of the informations and judgment against Mr. Alexander, the Editor of the Morning Journal. The gross receipt of the tolls of vessels passing the Light Houses of Winterton, Orfordness, Dungeness, North and South Foreland, and of Hunston Cliff, with the expense of maintaining the Light Houses. The number of Contracts now existing for supplying the Naval service. The Second Report of the Minutes of Evidence taken before the Committee on East India Affairs. A copy of the Commission issued for inquiring into the state of Ecclesiastical Courts in England and Wales.

An Address was ordered to be presented to his Majesty, for a copy of the 18th and 19th Reports on the Public Records of Ireland.

Returns ordered—On the Motion of the Marquis of BLANDFORD, of the number of Persons entitled to vote at Election of Members of Parliament for Ireland:—On the Motion of Mr. SYKES, of the amount of Tonnage entered Inwards and cleared Outwards in Ireland since 1823:—On the Motion of Mr. WOLRYCHE WHITMORE, of the total quantities of Hides, Skins, Malt, Coffee, Tea, Paper, Printed Goods, British and Irish Spirits and Tobacco, charged with Excise Duties in each year since 1818:—Of the number of Gallons of Spirits imported from Scotland into England since 1827; with the number of Excise Officers employed on the Borders, and the Expense, as well as an Account of the quantity of Spirits seized.

Petitions were presented—praying for a Free Trade to China—by Sir R. Ferguson from the Magistrates, and Town-Council of Kirkaldy; and from the Chamber of Commerce of Kirkaldy:—By the Earl of Belfast, from the Merchants of Belfast. Praying for a Repeal of the Vestry Act, Ireland, by Lord Bingham, from the parishes of Kilcomen and Robin. Praying for the Repeal of the Subletting act, by Mr. O'Connell, from three parishes in Ireland. Praying for a Reform in Parliament, by the Marquis of Blandford, from Garboldsham (Norfolk). Against the proposed Alteration in the Licensing System, by Mr. Pell, from the Licensed Victuallers of Cheltenham. Praying for a Repeal of the Malt Duties by Mr. Edward Davenport:—By Mr. Potter Macqueen, from the Freeholders of Bedford; and complaining of Distress, and praying Relief, by Admiral Sotheron, from Southwell.

The Indemnity Bill was brought in and read a First time; as was a Bill to Repeal certain Inoperative Statutes in Ireland.

REVISION OF THE CRIMINAL LAW.] Petitions praying for a revision of the Criminal Law, so as to do away with the punishment of Death in cases of Forgery and other crimes, except murder, and to render punishment more certain, were presented from Newcastle-upon-Tyne, by Sir M. W. Ridley; from Carlisle, by Colonel Lushington; and from Chelmsford, by Mr. Bramston. The hon. Gentleman said, that he concurred with the Petitioners in their prayer, that human life should not be taken away except for murder. The making any other punishment, such as that of solitary confinement, certain, as the consequence of particular crimes, would probably be more effective for the prevention of crime than the present system. However, he should not feel altogether disposed to take away from the judges that discretion they were very properly allowed to exercise in particular cases.

Mr. *Western*, like his honourable colleague, supported the prayer of the Petition. He concurred with the petitioners in thinking that the punishment of death was frequently inflicted when it was not necessary to insure the safety of society, but he had not yet carried his opinion so far as to suppose that it ought to be abolished in all cases except murder. It sometimes happened, that great violence was used in committing crimes, which, though not amounting to murder, could only be repressed by capital punishment. Except in such cases, he admitted, as a general principle, that the law ought not to inflict death as the punishment of crimes.

Petition to be printed.

Similar Petitions were presented from Sunderland and Darlington, by Lord W. Powlett; from Lewes, by Mr. Kemp.

Mr. *Grant* said, he earnestly hoped that this subject would not escape the attention of government; the punishment of death was inflicted in many cases, where it completely failed to deter others from the commission of offences. Horse-stealing, for example, had been carried to a great extent, and it was quite plain that the number of executions for that crime had not tended to check it. In the revision then going on of our Criminal Code, he hoped, therefore, that this subject would not be overlooked. The number of offences to which the penalty of death was attached was disgraceful, and it had signally failed to answer the effect intended.

Petition to be printed.

OPERATIVE WEAVERS.] Sir *M. S. Stewart* begged leave to present a Petition from the Operative Weavers of Glasgow, praying for some relief from the sinking distress under which they suffered. The Petition was signed by about 4,600 individuals; and large as this number was, he was informed that it composed but a very small portion of the thousands that were now suffering the severest privations from the extremely low rate of wages given to Operative Weavers in Glasgow. The petitioners averred, "that the average income of each family, according to the strictest investigation, amounts only to about 3*s*. 6*d*. of clear money per week, or does not exceed 4*s*., and that after ninety-six hours of incessant labour." The petitioners attribute their destitute condition to the rapid increase of population, and the still more rapid increase of machinery in Glasgow,—causes over which the House had no control, and could not, therefore, be responsible for their effects, heavy and afflictive as they in this instance declared them to be, and it was very natural that the petitioners, in their wretchedness should "presume that in the hands of this House rested the power to carry into operation measures of relief for the existing distress, and by efficient regulations, prepare means of happiness and subsistence to almost any amount of population." He sincerely wished that he could feel convinced that it was in the power of the House to afford the asked-for relief, unless it was by opening the vast markets of India and China to the enterprise of their employers. But undoubtedly these petitioners, and thousands of their fellow operatives, were enduring, both themselves and families, deep and heavy misery; and he most earnestly offered their well-drawn petition to the just and compassionate consideration of the House. He begged to take the opportunity of saying, and he had much satisfaction in doing so, which would prevent him trespassing on the time of the House, in the long interesting debate that was to be continued that night, that, with the exception of the operative weavers (and that only made their case the harder), he had good reason to believe,—and he had taken much pains to ascertain the facts from the best sources,—that the manufacturers of Glasgow and Paisley were in rather a better condition than last year; and that, small as profits were, still they had improved, and were considered, by those best qualified to judge as still showing a tendency to improve.

Ordered to lie on the Table.

Mr. *Hume* supported the prayer of the petion, though he did not see by what means that House could give the petitioners any relief, except by reduction of taxation. It was a singular anomaly, he observed, in so rich a country as this, that so many thousands of the poor labouring classes should have to work for so many hours in the day at wages of 3*s.* 6*d.* per week. He agreed with every part of the prayer of the petitioners, except where they objected to machinery. No doubt, they suffered from it, and he regretted it, but the introduction of machinery had been productive of great benefit to the country.

Mr. *Brownlow* presented a Petition from the Operative Weavers of Dublin, complaining of distress, and praying for means of employment. The petitioners thanked the House, the hon. Member observed, for the advantages of civil and religious liberty they enjoy, but they venture to complain of the unparalleled distress from not having a market for their commodities. They complained chiefly of the want of a home market, and they therefore prayed the House to encourage the erection of public works in Ireland. Government, they thought, might advance money without the risk of loss, which, judiciously laid out, would give employment to thousands. All they asked for was employment.

Petition referred to the Committee on Irish Poor.

REFORM OF PARLIAMENT.] The Marquis of *Blandford*, in presenting a Petition, praying for a Reform in Parliament, as necessary to restore that House to the confidence of the people, moved for Returns of the number of persons entitled to vote for each borough in Ireland, distinguishing the resident from the non-resident voters.

Mr. *Ross* observed, that it would be very difficult to make out such a return. There were many electors non-residents, and they would not be included in the return.

Mr. *Benett* did not see why it should be more difficult to make it for Ireland than it had been for England and Wales, for for which such a return was moved last year.

Mr. *Hume* said, a motion of his to that effect was carried last year.

Sir *J. Newport* said, he thought there could be no difficulty, for the non-resident freemen were included, as well as the residents, in the poll-books, and they were not liable to any sudden change.

Mr. Alderman *Waithman* expressed his surprise that any objection should be made to the Motion.

Motion agreed to.

BOROUGH OF CARLOW.] Mr. *O'Connell* moved for a return of the number of persons entitled to vote for Members to serve for the Town of Carlow, distinguishing the resident from the non-resident. He founded this Motion on a letter written by the Clerk of the Peace of that town, stating that the borough was the property of Lord Charleville, and that he returned the Member who represented that place in Parliament. This was a subject which he felt the necessity of bringing under the consideration of the House, as a case materially affecting its privileges—a case in which it was openly asserted that a Peer returned a Member to serve in that House. He wished, however, before making any motion on the subject, to have the regular return in the hands of the hon. Members.

Motion agreed to.

GALWAY TOWN.] Mr. *O'Connell* presented a Petition signed by several Protestants and Catholics in the town of Galway, praying for the admission of Catholics as well as Protestants to the freedom of the Corporation of that town. The petitioners stated, the hon. Member observed, that the right to vote for Members of Parliament had been recognized, several times, to vest in the resident burgesses, and in particular, that it was recognized by the

Irish Parliament, though it was barred by the enactments of the 4th of George 1st. Now, they said, in consequence of confining this right to one class of persons, a great many abuses had crept into the borough. They stated that, in 1819, one gentleman procured the freedom of the borough for 793 tenants of his, only one of whom was resident in the borough; the gentleman himself being a non-resident. They further stated, that large funds, in the possession of the Corporation, were not applied to the purposes for which they were intended. One man had held the office of mayor thirteen years, and another had been sheriff seven years, during a part of which he was non-resident. So bad was this system, that there were not resident magistrates sufficient to fulfil the duties of the magistracy, and the Government had been obliged to supply the deficiency. They added, that the rates of the land subject to the Corporation, were 1*l.* 13*s.* 7*d.* per acre whilst on the adjoining land they were only 2*s.* and the petitioners prayed that the House would take these matters into its serious consideration, and pass a law to admit Catholics as well as Protestants to the freedom of the borough.

TRIALS AT CORK.] Mr. *Jephson* would take occasion to advert to certain official documents from Ireland, which he had formerly moved for, but, as it seemed, without effect. He alluded to the memorial of the Grand Jury of Cork to the Lord Lieutenant, relative to the postponement of trials in that county, together with the viceregal answer thereto. The return which was laid before the House, in compliance with his motion, consisted of a simple statement from Mr. Gregory, and dated from the Civil Office, at the Castle, in Dublin, that there was not the least trace of any such memorial having been received at the Castle. As he (Mr. Jephson) had stated that a memorial of that nature was transmitted, he found himself placed in rather a disagreeable situation. There could be no doubt that such a memorial was forwarded, and he wished to know from the noble Lord how it happened that a copy could not be laid before the House?

Lord *F. L. Gower* supposed that some accident had befallen the memorial on its way to the Castle, but he had no means of elucidating the subject any further, having been absent at the time when it was alleged to have been presented.

Mr. *O'Connell* observed, that the postponement of these trials had cost Government an expense of 3,000*l.*, nor did he believe that the slightest blame could attach to the Crown counsel. He hoped, however, that his hon. friend, the Member for Mallow, would not suffer the matter to rest as it at present stood.

Mr. *King* said, that he, as Foreman of the Grand Jury, had forwarded the memorial on the day of the assize, accompanied by a letter, and he knew that both the letter and memorial were put into the post-office; and he did not know why a special commission had been granted, unless it was in consequence of that letter.

WOOL TRADE.] Mr. *W. Burrell,* in presenting a Petition from the owners and occupiers of land in Shipley and West Grinstead against the importation of Wool with a nominal duty, said, that it was necessary, in consequence of some remarks which had been made by Gentlemen on the Wool Trade, for him to describe, at some length, the contents of the Petition. The petitioners stated, then, that British wool had become nearly unsaleable, and that the admission of foreign wool into the home market was a serious injury to them. They were of opinion, that the real wealth of a country consisted in the quantity and value of its produce, and of the skill and industry of its inhabitants; that those branches of manufacture which combined the production of the raw material with its subsequent preparation, either for home consumption or for exportation, were the most profitable, and to be considered as the natural manufactures of a country; and it was, they affirmed, on this account that woollens had been, for so many generations, the staple manufacture of England. For all these reasons, the petitioners submitted to the House the propriety of encouraging, by protecting the home-grower of wool, the manufacture of woollens. If he were correctly informed, Austria, which sent a great quantity of wool to this country, would not, in return, take any of our manufactured cloths. And why, then, he would ask, should we sacrifice our home-growers of wool for the sake of admitting her raw materials into this country? There were other countries, he believed, which, like Austria, would allow us to have wool, but would take none of our manufactures in exchange. In France, a duty of thirty-three per cent was levied on British Wool, in order to protect the French grower; while our Government permitted the importation and sale of French woollens at a less rate of duty; and he knew that French carpets had last year been selling in St. James's Street, after having paid a duty of only twenty per cent, or thirteen per cent less than the duty levied in France on our unmanufactured Wool. Such a system was equally injurious to the British carpet manufacturer, and the grower of Wool; and the sooner it was revised and altered, whether called free trade, or by any other name, the better. He trusted that the Government and the House would take these matters into their consideration, and at a time when such serious and unusual distress prevailed among the farmers and labourers, adopt some means of protecting the interests, both of the British Manufacturers of Woollens and the grower of Wool.

Petition to be printed.

LUNATIC COMMISSIONS BILL.] Mr. *M. A. Taylor* said, that, some short time since, he had introduced a Bill to enable the Lord Chancellor to issue Commissions *de lunatico inquirendo* in a different manner from what had been heretofore the practice. Since then, the noble and learned Lord, as he had that day informed him, had turned his attention most seriously to the subject, and had consulted some of the Judges; and as their opinion was, that the Lord Chancellor possessed power to issue such Commissions, in the manner the Bill was meant to prescribe, that noble and learned Lord said, he should, on proper occasions, issue such Commissions without the further sanction of any legislative enactments. Doubts had before been raised upon the subject, and the object of the Bill was to put an end to those doubts; but as the minds of the noble Lord and other eminent Judges were, he understood, now made up on the point, it would be unnecessary to advance his Bill beyond the present stage. It was due to the noble and learned Lord to state, that he wished to do all in his power to prevent expense; that he did not think the present tribunal the fittest for such inquiries; that he had already expressed his disapprobation of entertainments being given to the commissioners and the jury each day. The Lord Chancellor stated his intention of exercising, in future, the power which it was now agreed that he possessed, of issuing commissions to Judges of the superior courts, with juries summoned in the ordinary way, to try questions of lunacy. To give the House some idea of the enormous expense against which the Bill was directed, he had to state, that the costs of the petitioning party alone, in the Portsmouth case, amounted to 23,000*l.*! He concluded by moving, that the order for the second reading of the Bill be discharged.

Mr. *R. Gordon* was very glad that the hon. Gentleman had withdrawn his Bill, because it only gave power to the Lord Chancellor which he already possessed. What they wanted was a real and efficient bill to remedy the evils of which they had so much cause to complain.

DISTRESS OF THE COUNTRY — ADJOURNED DEBATE.] Mr. *Cutlar Fergusson* moved the Order of the Day for resuming the adjourned debate on Mr. E. Davenport's Motion on this subject.

The Order of the Day having been read,

Mr. *Fergusson* said, that although the hon. Member for Shaftesbury (Mr. E. Davenport) had, on the previous evening, accused the Members who were of the same opinion with himself of being luke-warm in the cause, he (Mr. Fergusson) must say, that he had not perceived any behaviour to justify that accusation. For his own part, he thought that nothing like apathy had been displayed; for scarcely an evening during the present Session had elapsed without the subject being adverted to in one shape or another. Neither did he think, though he should perhaps have to vote against the Ministers that night, that they had thrown themselves open to the charge of having been negligent of the state of the country. On the contrary, after the statement of the Chancellor of the Exchequer, a few evenings ago, the House was bound, he thought, to believe that the Ministers were really willing to do whatever was in their power. The hon. Member for Shaftesbury having moved for a committee of the whole House, he should have felt some difficulty in supporting that motion, knowing that the time necessarily occupied by such a proceeding might be advantageously employed in the other affairs of the country. The Amendment proposed by the hon. Member for Shoreham, however, relieved him from the difficulty that he felt on that head, and he should therefore vote for the appointment of a Select Committee. The only question that ought to be considered with reference to the appointment of such a committee was, whether a sufficient case of general distress had been made out; and the fair way of looking at that was, by turning to the numerous petitions which had been presented to the House, and to the almost universal county meetings that had taken place on the subject, rather than to statements made on the strength of private, and, in some instances, anonymous informations such as had been produced on the former evening, by the President of the Board of Trade. But even if those private communications were correct, they only went to show that there had, till very lately, been very severe distress; and he did not see how, on the strength of a few orders transmitted to Manchester or Glasgow, it could be asserted that all that distress had disappeared, especially when the House had lying on their Table petitions from the counties of Renfrew and Dumbarton, complaining of the existence of distress. It might be true that there was less distress in Scotland and Ireland than in England; but even if such were the case, he did not see how it could be contended that the diminution of suffering in some places ought to preclude inquiry into the distress that existed in others; and which every where partook of this one remarkable feature, never, perhaps, experienced before—which was, that the distress did not affect this or that particular class, but all the productive classes of the country. The orders that had been spoken of might, in the course of a few days, turn out to be nothing but a passing dream, and then what would they be able to say to the people of England? The distress of the country, no doubt, was not universal; but neither was it necessary that he should show that it was universal to establish sufficient grounds for the House to interfere. Though he agreed with the hon. Member for Shaftesbury in many of the points he had stated to the House, he was bound to differ from him in what he had urged with respect to the currency. A great part of the distress, he believed, took its origin from the suppression of the small notes. Nor was this felt in England only; it necessarily reached Scotland, because the markets of that country in a great measure depended on the markets in England; and only that very day he had heard, that at the Dumfries market it was impossible to find purchasers for cattle at any price. Prosperity would never, he thought, be restored to this country till the injury which had been done to it by the destruction of the country banking-system had been remedied. In his opinion, no set of men had ever been so ill treated as the country bankers. He did not, however, think that the right hon. Gentleman deserved so much blame as had been attributed to him on the previous evening for having introduced the bill on that subject, because, though it was true that he had brought it in, it could hardly be called his measure, as he had been called upon from all sides of the House to bring the measure forward, and in the end it was carried by acclamation. If, however, they wanted to get at the real source of the mischief, they must go still further back, and trace it to the restriction on cash payments that was enacted during the French war. So many causes had been assigned for the distress, that the very different opinions entertained were to him a satisfactory reason why there should be a committee to examine the subject. It was only by inquiries, in such a committee, that they could ascertain the true cause. Those who opposed going into a committee ought to be able to show, both that a committee would do no good, and that the distress was beyond legislative control. If it were not in their power to relieve the distress, they had better tell the people so, and that they were not fit to be there, and were unable to carry on the business of the country and of the Government. If all the papers referred to by the right hon. the President of the Board of Trade the other evening were correct (and he had some doubts on the subject), they only showed that there could be no danger from the inquiry. They would show that the distress was passing away, and that the country might look for better times; but if that gleam of hope were to pass away, and the country were to remain in the same state of distress as it had been in for several years past, they would all deeply regret that they had refused inquiry, when they had an opportunity to inquire, and when inquiry and redress were demanded by the petitions of the people.

Mr. *W. Whitmore* was ready to admit that there had been distress in the country during the last year; but he thought it would be better to look at the causes of that distress, to ascertain whether it were likely or not to be permanent, than to content himself, as the last hon. Member had done, with affirming its existence. He did not concur with those who said the distress was exclusively caused by a change in the currency; other causes had contributed, and they were bound, before again changing the currency, to inquire if such a change would not cause greater mischief than allowing it to remain unchanged. Two effects had resulted from a change in the currency, the one physical, the mere change in the price of gold, and the other moral. He believed that when Mr. Peel's bill was passed, the difference between the market price of gold and the Mint price was not more than three per cent, and that, therefore, would not, of itself, have produced any important consequences. But any man who knew this country must be aware, that in all our towns, and in every part of the country, great speculations had been entered into, and great undertakings begun, by men who had not sufficient capital to complete them. They borrowed of bankers. The little depreciation in prices, occasioned by the change in the currency, caused the property on which they had advanced money, to be scarcely sufficient to repay them; they sustained a loss, and restricted their business; they ceased to make the same advances as before, and the industrious manufacturers, not being able to obtain accommodation to the usual extent, there was an actual and a considerable contraction of the currency. A panic was the consequence. Capitalists saw their property was falling in value; that to lend was to lose; they would not lose, and that caused a stagnation. Moreover, we had two bad harvests consecutively, which contributed to augment the distress. He believed, however, that this panic was not likely to be permanent. Paper money could not increase the production of the country; that was regulated by the capital of the country, and would be carried to the same extent with a metallic as with a paper currency. Another cause of our temporary distress was, the gradual fall in the price of all species of produce, which had taken place, independent of the change in the currency. Since 1814, various new sources of supply had been opened for cotton, coffee, and all colonial and tropical produce. The countries beyond the Cape of Good Hope had since then sent their productions to the market, which had diminished the price of the article. A vast supply had been obtained of coffee also. The trade of South America had been followed by similar effects. Sugar had been sent to Europe from many new places, and in vast quantities. Our only supply of wool formerly came from Spain; now we obtained a large quantity from Germany. Since the peace, too, the capital that had before been employed in war, had been engaged in production, and had had the effect of augmenting supply and lowering prices. But while a fall was taking place, there was no encouragement to extend production. Stocks were not laid in more than was absolutely necessary, because the holders might expect to lose on them. No works were undertaken which could be avoided; but he believed that the fall from these causes had now reached its limits. He hoped, indeed, (not as the President of the Board of Trade had stated, that prices had risen, and that manufactures were reviving, but) that a rise would speedily take place, and that manufactures would speedily revive. He would also mention, that he believed the diminished supply of the precious metals from South America, had occasioned a fall of prices, and this cause would probably continue to operate for some time. Taking all these circumstances into consideration, he saw no reason to doubt that the country would soon get through its present difficulties, and would again increase in prosperity, population, and wealth. He found evidence, indeed, that it was not at present declining. Not only were the exports greater last year than before, but almost every description of raw materials had been used to a greater degree last year than in former years. In 1820 the quantity of cotton consumed was 470,000 bags; in 1829 it was 780,000 bags. The quantity of silk consumed in 1823 was 2,104,000lbs; in 1829 it was 4,547,000lbs. The amount of our exports, the quantity of raw materials worked up, and the number of ships employed, all showed that there was a great deal of business going on, though he believed it was, in general, carried on at a low rate of profit, and sometimes at a loss. For whatever distress now existed, he did not believe any remedy could be found in returning to a depreciated currency. He approved of the right hon. Gentleman's bill of 1819; and had we not then regulated the currency, he believed that instead of now suffering only temporary distress, capital would have gone out of the country, and would have sought employment where it was not subject to a ruinous fluctuation. He would also state (as it was said that nobody would defend such an opinion, though he would not then enter into any argument on the subject) that he believed we had done right in selecting gold for our standard instead of silver. He would take that opportunity, also, of declaring, that he could not agree with the hon. Member for Newark in any one of his propositions. That hon. Member would find employment for our agriculturists by making the people eat dear bread, and prohibiting the importation of foreign corn. That hon. Member would find employment for our manufacturers by excluding them from the foreign market, and would crown all by a return to a paper currency. In no one of these propositions could he agree with the hon. Member for Newark. If the legislature would give employment to the people, and profit to capital, it must open the markets of the world to us by extending the principles of free trade, and removing, as far as possible, every restriction on enterprise. There was an inquiry going on into a most important subject; and if that should turn out as he desired, if free access were to be allowed to the East Indies, (as sound policy, reason and argument, were they allowed their due weight, recommended) more would be done to relieve the distress of our manufactures than could be accomplished by any other measure. He implored the right hon. Gentleman opposite (Mr. Peel) to look at the case with his own eyes, and judge of it with his own understanding; and if he saw all the benefits likely to result from the opening of the trade, he would be sure to come to a conclusion that it ought to be opened, and he would lay a permanent foundation for prosperity in India and in Britain. He hoped that the prejudices of the members of the Board of Directors, or of that Board which controlled the affairs of India, would not be suffered to influence him; that he would judge for himself, and grant the country those means of permanent improvement which it was in his power, by opening the trade to India, to bestow.

Sir *George Philips* said, if he could believe all the representations made by hon. Members, he must suppose that there was no employment in the country, and that the people were actually dying of starvation; but while he admitted that there was partial distress, he did not believe in the universality of that distress among the manufacturing classes, which had been mentioned by the hon. Member for Kirkcudbright. He would state to the House what he knew of Lancashire, with which he was best acquainted, and of the state of which he had been at considerable pains to obtain correct information. That which he should submit to the House was obtained from gentlemen who had not taken part in the controversy now going on in Manchester on this subject, and whose opinions, he believed, were not biassed either way. He had received this information partly by means of letters, and partly from gentlemen who had lately come to town from Manchester, and confirmed the statement lately submitted to the House by the hon. Member for Bramber. Gentlemen acquainted with the manufacturing districts must be aware that it was impossible to obtain an average of the wages of labour in them, such as might be obtained of the uniform labour of agriculturists. He must, therefore, state the wages of different classes, and he would begin with that most extensive class—the hand-loom weavers, who were some of the most distressed. The wages of this class were, in Manchester—women, from 4*s.* to 5*s.* a week; and men, from 6*s.* to 7*s.* Of late there had been a small rise, so that what was done for 10½*d.* now produced 1*s.* and what used to be done for 6*s.* 6*d.* is now paid for at the rate of 7*s.* At Manchester, he understood that at present the hand-loom weavers were generally employed. At Blackburn, the wages of the same class of persons was 5*s.* per week. At Ashton-under-Lyne, the wages of the hand-loom weavers, who were principally (we understood) employed in making ginghams, were better, and amounted to 10*s.* per week. At Bolton, the weavers earned from 5*s.* to 6*s.* per week for sixty-reed cambric. The weavers of fustian were also earning from 5*s.* to 6*s.* a week. At Tyldesley the weavers of quiltings get 12*s.* a week. These were some of the lowest prices that had ever been paid in the manufacturing districts, and it certainly was much to be regretted that the distress of the masters had ever compelled them to pay their workmen at such a rate. The hon. Baronet then proceeded to state the prices given for various kinds of labour in cotton factories. The power-loom weavers, he understood, were earning according to their skill and age—women from 7*s*. 6*d*. to 12*s*. 6*d*. per week, and men from 12*s*. to 15*s*. Of all classes the weavers seemed the worst paid, the wages of a man and boy, or a woman and girl, making together from 15*s*. to 20*s*. a week. There were other descriptions of persons engaged in the factories to whom he would then advert. Females in the factories could, from the age of thirteen to sixteen, earn about 5*s*. 6*d*. a week as carders, and from the age of eighteen to twenty, about 8*s*. or from that to 8*s*. 6*d*. and 9*s*. 6*d*.; females working as cleaners earn from about 6*s*. to 7*s*. Males employed in carding got, if youths, 7*s*. a week; young and good hands get from 13*s*. 6*d*. to 16*s*. Cotton mixers earned 12*s*. In spinning, to which he would next advert, the wages were paid according to the weight of the yarn, and one statement he had received said that the average wages of spinners was from 26*s*. to 30*s*., while another represented it as from 20*s*. to 32*s*. The women engaged in the mills made from 16*s*. to 18*s*.; little piecers, boys and girls received from 6*s*. to 9*s*., while children under ten years of age earned 2*s*. 6*d*. per week. The over-lookers got from 20*s*. to 40*s*., but the fine spinners got more—from 35*s*. to 40*s*. These were the wages generally; but at Glossop and other places the spinners received 21*s*. a week, although they had formerly 26*s*. At Oldham, where there was a great population, females of twenty years earned, as spinners, about 8*s*. a week, while the men got 30*s*. a week for fine work in some places, although the average was about 25*s*. a week in the district. It was proper to observe that the spinning trade was continually on the increase, and that the wages had a tendency rather to rise than fall, an effect which had been in part produced by the use of machinery causing such a large demand for twist. Indeed such was the demand that the manufacturers were compelled to employ machinery. Bleachers, (the hon. Baronet continued) worked twelve hours a day, and earned 16*s*. a week. Calico printers, who, on an average, were employed only nine months in the year, gained 30*s*. a week, but it was intended to reduce their wages and give them constant employment. Dyers are exposed to great fluctuations, and last winter they suffered great depression, but they are now recovering It was natural to suppose that other persons who, like them, were employed out of doors, suffered severely during the continuance of the late frost. Bricklayers, carpenters, and boatmen, being unable to find employment, were of course compelled to be economical, and the result was distress among the small shopkeepers; for if the customers had no money, they could not indulge in their usual luxuries. But he believed that the distress arising from that cause, and among that class of people, had been much exaggerated. He would take the liberty of calling the attention of the House to some observations on the condition of the working classes at Preston. Mr. Taylor of that place said, "with respect to persons employed in making machinery, and in cotton and linen factories, power-loom weavers, and other artizans, that little or no distress exists, they being generally fully employed, and at the same wages that have been paid to them for some years past, with the necessaries of life much lower in price." Of another class, the out-door labourers, such as bricklayers, masons, &c. he says that they have suffered more than is usual from the lengthened severity of the weather. He adds, "The third class, and, I am sorry to say, the most numerous, is formed of the hand-loom cotton weavers, whose situation is become, in very many instances truly deplorable, arising from underpaid labour in proportion to the prices of the necessaries of life; which labour has gradually been reducing in price for several years, and has now arrived at such a point of depression as to be inadequate to supply them with proper food and clothing. It must, however, be admitted, that there are gradations in this class, and that one part is in a better condition than the other, arising from the whole family of some weavers not being dependent upon the wages of hand-loom weaving. Many heads of families, for want of better employment, are yet obliged to keep to the hand-loom, but where the children are growing up, they are frequently engaged in the spinning factories, or in power-loom weaving, where their employment is constant, and wages considerable. But in the recent visitation of the town, a great many cases have been found of a whole family, composed of a man, his wife, and perhaps three or four young children depending entirely upon the man's earning at the loom, eked out by the miserable pittance from the parish. In comparing the present state of the working classes of Preston with that of other times, when subscriptions have been made for their relief, and the town has been visited, the committee will, I think, bear me out when I say, that distress has more generally prevailed at other periods, when employment has been scarce, and provisions much dearer, but at no time, I believe, have there ever appeared so many individual cases of complete destitution and misery among the weavers as at present. With respect to the probable continuance of the present distress, I think it will be seen by a review of what has been previously said, that there is no prospect of hand-weaving generally being ever again a proper employment for a man, the master, and principal supporter of a family; but that there will always be such employment, is certain. The coarse light description of goods may, in my opinion, always be produced for a less sum by hand than by power; and there will be many difficulties to encounter to make the very finest descriptions of cloth, and many of the fancy cotton goods, by the power-loom. The former will, however, be never more than fit employment for children and old people, but the latter, that is the fine and fancy cloths, will require good and experienced hand-workmen, who may probably always obtain fair wages for their labour." The favourable part of Mr. Taylor's representations concerning Preston applied, he knew, in a still greater degree to Manchester, because there the hand-loom weavers bore a smaller proportion to the whole number of manufacturing labourers. It had been contended by an hon. Member near him, in the course of the discussion—an Alderman of the City of London (Waithman)—that trade was in the manufacturing districts at the very lowest ebb, and that it had been constantly carried on for several years at a great loss; that the merchant had ceased to export, and the manufacturer manufactured in vain, and without the slightest hope of obtaining an adequate profit. He was quite ready to admit that the merchant had ceased to export at his own risk, and that the manufacturer exported his own goods. This seemed to reverse the order of trade, and to be at variance with improvement; but was in fact its natural order, and thus doing away with the middle man, as it were, was a great gain to the manufacturer, and attended with one obvious advantage to the consumer, namely, that it placed one profit the less on the price of the goods. The manufacturer and the consumer, the buyer and the seller, were brought more into contact, and could understand the wants and demands of each other better than when the merchant interfered betwixt them, but besides that, it was a diminution of risk to the manufacturers. In ordinary times the manufacturer gave the merchant who ordered goods from him for exportation a credit of eighteen months, and thought himself lucky if he got paid in two years. Now, however, the manufacturer manufactures goods for exportation at his own risk; and it was one of the best advantages of the increased facility of communication, that the Birmingham or Manchester man was enabled to send his goods abroad without the expense and the risk of the intervention of the merchant or middle man. Besides all that, however, the Alderman should understand that the manufacturer who is thus become his own merchant does not manufacture himself the twentieth part of that which he exports. He buys the linen cloths and the cotton yarn from others, and so gives increased facilities and spirit to the general trade. The hon. Alderman contended, he recollected, that this trade was carried on at a loss. That he (Sir G. Philips) denied. It was carried on with advantages, and great advantages, else why had it been carried on for so many years at all? It was absurd to suppose that it would be continued if loss was the certain consequence. The hon. Alderman said, they were forced to carry on the export trade because the manufacturers made more than the country required. But he could tell the hon. Alderman that there were manufactures carried on expressly for the foreign market. The export of cotton was double the amount of the quantity consumed at home. And why was the trade continued and extended? Why, but because the manufacturers found it for their advantage. That they should wilfully ruin themselves, seemed to him an extraordinary proposition, but he could tell the hon. Alderman that if he were to broach his doctrine at Manchester he would be laughed at. Another doctrine of the hon. Alderman's was, that the manufacturers did not look much to the price of the raw material, and that it was of little consequence whether cotton was a 6*d.* dearer or a 6*d.* cheaper. Why nothing could be more erroneous. A manufacturer calculated the one-eighth of a penny in the pound, and if he could buy at that one-eighth of a penny cheaper he did so. It was attending to advantages of that kind that so many large fortunes had been realised in the course of the last few years. As to the complaints of the worthy Alderman and others about machinery, all he could say was, that they were not new; machinery had been improving for the last thirty years, and the distress was not greater now than during those periods when machinery formed no part of their complaints. Upon the whole, he was of opinion, that although the profits of trade were undoubtedly small, yet there were profits in every branch of industry; and although capital might not be increasing very fast, or so fast as some supposed, yet it undoubtedly was increasing. He thought, however, with the hon. Member for Bridgenorth (Mr. Whitmore) that the country was placed in circumstances which required the most watchful circumspection on the part of the Government. He rejoiced that Ministers had determined to lighten the public burthens—he thanked them for what they had done; and while he praised the liberality they had displayed in their domestic policy, he regretted that it had not been extended to their foreign negotiations. The plan of lightening taxation on some points, in order to increase the consumption in others, was highly praiseworthy; and he hoped that the doctrines of the right hon. Gentleman, the Master of the Mint (Mr. Herries), as laid down the other day, would be followed by the Government. He hoped, too, that some alteration would be made in the system of monopolies, and particularly in that of corn, which he was afraid both Whigs and Tories would unite to continue; but, in common with every person connected with the county of Lancaster, he implored them not to make any alteration in the currency. They had now the best currency in the world, and they wished to keep it, as they were satisfied that any attempt to tamper with it, or even to introduce silver as a standard as well as gold, would only enable foreigners to defraud us. It had been said, that there was a scarcity of money in the manufacturing districts. He knew as much of them as any one, and he never recollected money more plentiful there. His own residence, however, was in the agricultural part of Warwickshire, and there too he found an abundance of currency. No man who had property could say he was not able to obtain money. There was no scarcity of currency with them when means justified credit. The honourable Baronet concluded by observing, that as he did not think any relief could be afforded to the really distressed by the inquiries proposed in the Motion of the honourable mover (Mr. Davenport), or in the Amendment proposed by the hon. Baronet (Sir C. Burrell), and as he thought, on the contrary, that an acquiescence in either of the motions would lead to delusive hopes which never could be realised, to expectations of improvements which Parliament had not the power to execute, he should feel it to be his duty to vote against both Motion and Amendment.

Mr. *Bucknall Estcourt* said, that the subject was too delicate for a Member so young as he was to presume to pronounce an opinion on it, but he might say, that the present state of the country excited in him feelings of pain and deep concern, and that he could not look on the future without the most frightful forebodings. He thought that in a Committee the question of the public distress was likely to receive a better consideration than it could do in the House, and that the relative value of opinions could be ascertained with greater certainty, and their merit more fully appreciated.

Sir *Hussey Vivian* did not deny that considerable distress existed; but was persuaded that many of the statements of it were greatly exaggerated. He entertained no despair of the country; but, on the contrary, felt convinced, that however serious the difficulties might be with which it was beset, it would rise superior to them all. With respect to the low prices, some of the causes of them were, in his opinion, sufficiently obvious. During the war, our manufacturers and merchants had a monopoly of the markets. Now, however, they were obliged to enter into a competition with foreign manufacturers and merchants. Now, as one-fifth of our industry was employed in the supply of the foreign markets, our exports being between fifty and sixty millions, and as the prices we obtained in the foreign markets must govern our prices at home, he thought there was little difficulty in accounting for the low prices. Among the causes assigned by various persons for the existing distress were over-production, superabundant population, machinery, free trade, taxation, and the state of the currency. As to over-production, the only consequence, as it appeared to him, of our producing less would be to throw a number of persons out of employment. With respect to superabundant population, to a certain extent the population might be said to be superabundant. But he should be very sorry to see the population diminished by the means recommended on a recent occasion by an hon. Gentleman, and he trusted that the House would never forget

That a bold peasantry, their country's pride,
When once destroy'd, could never be supplied.

Machinery, in his opinion, so far from producing the distress, must have greatly contributed to prevent its increase; since it gave employment to millions, who would be otherwise destitute of it. A great portion of what was considered among the middle classes to be distress, arose, he was persuaded, out of the extraordinary change that had taken place in the habits of the people, who indulged in an extravagant expense of which their forefathers never dreamt; and who being now compelled to curtail that expense, felt the privation severely. The necessity under which they were of discharging a number of their servants, had also added to the general difficulty. He had made as accurate inquiries as he could into the real facts of the case, and more especially with respect to the parish, that of Lynn, in Hampshire, in which he himself resided. The hon. Gentleman here read a statement, by which it appeared, that although from the year 1813 to the year 1829, the Poor's-rate had increased from 2,700*l.* to 3,200*l.*, the population of the parish from the year 1811 to the year 1829 had increased from 3,100 to upwards of 5,000. Under this latter circumstance, it was not at all surprising that there should be an increase of paupers. The hon. Gentleman then entered into a comparison of the quantity of tin and copper raised in the county of Cornwall in the years 1813, 1814, and 1815, as compared with the quantity raised in the last years; and maintained that the increase, combined with the foreign competition, was the cause of the present low prices. He was far, however, from thinking low prices an evil. If it were not for the low prices of hemp, of tallow, and of all the necessaries of life, tens of thousands of people would be thrown out of employment, and thousands of tons of shipping would be laid up. As to Free Trade, he was convinced that it had nothing to do with the distress; and he was happy to make that avowal in the presence of the right hon. Member for Liverpool, as when the principles of Free Trade were originally discussed, he had expressed some apprehensions with respect to the result of their application to the commerce of this country. In his opinion, the great principle of Free Trade was briefly this: that as long as any of the manufacturers of the country produced a commodity for which there was an entire demand in the home market, we might protect them by duties; but that when they were obliged to go to a foreign market to sell their commodity, the price must be regulated by the price at which the foreign manufacturers were able to bring the same commodity into the market. This, as he had before observed, was one of the causes of the diminished price of the produce of the Cornish mines. But unless his information on the subject was very incorrect, there was no distress in the county of Cornwall, notwithstanding the low prices. In the meantime, those low prices had been very beneficial in other respects. What would our shipping—what would Birmingham and other manufacturing towns have done had the price of copper remained high? It was clear that to the low prices thousands of persons were indebted for their present employment. But it was asked, how could we go on with such low prices and with such heavy taxes on agriculture? He did not believe that those taxes bore especially on agriculture. He believed that they bore generally on the consumer; that they bore on the whole property of England. He considered available property to be property which a man possessed beyond taxation. If he had 1,000*l.* a year, and paid 500*l.* in taxation, he should consider that he had 500*l.* of available property. If that 500*l.* at the present prices would purchase as much as 1,000*l.* when the prices were high, he should have no right to complain. He would advert shortly to the remedies which had been suggested for the existing state of things. In the first place, there was what had been called an equitable adjustment. He had heard with the utmost astonishment what had fallen, upon that subject, from the hon. Member for Colchester. That hon. Member ought to recollect that what was law was not always justice, and that what was equity was not always equitable. It would be the extreme of injustice to make any attempt at reducing the property of the fundholder, and he trusted that no such attempt would ever be made. Of this, too, he was persuaded, that if a sponge could be applied to the National Debt to-morrow, the country would derive little or no benefit from the operation. The visits of the tax-gather would be exchanged for those of the parish overseer; and the population of our exchanges and markets would be transferred to our workhouses. The reduction of taxation was one of the remedies which had been insisted on. It was undoubtedly the duty of Ministers to reduce taxation as much as was consistent with the public service; and they had done that duty. But he was not one of those who fancied that any extraordinary relief could be derived from such a source; and he was one of those who would be very sorry to see the principle of reduction carried to such an extent as would compel us to disband our army, dismantle our navy, and close our arsenals and dock-yards. He trusted, to use the eloquent words of a late right hon. Gentleman, "that the sovereign of this country would never be reduced to sit on a degraded Throne." A change in the currency was another of the nostrums recommended; nostrums so numerous, that they reminded him of some doggrel lines, with which he was familiar when at school:—

> "One doctor physic'd him and purg'd;
> A second bleeding strongly urged;
> A third a tonic mixture tried;
> Among them all—the patient died!"

He had frequently heard of people being music-mad; but he believed that some hon. Gentlemen were currency-mad. His view of the currency question was this:—that if, as had been asserted, the substitution of gold for paper had produced a change of five-and-twenty per cent in the price of commodities, that proved that the former price was artificial. It was impossible to maintain a paper circulation while we kept up a commercial intercourse with foreign countries. We could not buy bread at home with paper, and cotton abroad with gold. If we were to return to paper to-morrow, we should speedily have two prices, a gold price and a paper price, as we had formerly; even although the House should again adopt a Resolution declaring that gold and notes were equivalent. He was delighted, therefore, to hear his Majesty's Ministers declare that they had no intention of proposing any change in the currency. He apologized to the House for having trespassed so long upon their attention, and thanked them for their indulgence. What he had said was not said in a spirit of hostility to any interest. Agriculture and manufactures must flourish together. Although his particular interest did not lie in that way, yet certainly, if he were called upon to give a preponderance to either, he would throw his weight into the agricultural scale. But not conceiving that to be necessary, and being persuaded that no measure could be adopted, the tendency of which would be materially beneficial to any interest, he must oppose the Motion.

Mr. *Liddell* declared himself prepared to support the Motion of the hon. Member near him, though he trusted that in doing so he incurred no risk of being understood to pronounce any opinion condemnatory of the motives of his Majesty's Government. He was willing to give every credit to the right hon. Gentlemen on the other side of the House for the uprightness of their intentions, and for the earnest zeal with which they endeavoured to promote the interests of the country, as it appeared to them; but he must be allowed to say, that his views of the true interests of the country, and what its necessities at the present moment demanded, were quite opposed to the course which the Ministers of the Crown appeared determined to persevere in adopting. There was one proposition on which he would mainly rely, and which he did not apprehend that any hon. Member would attempt to controvert—namely, that at the present moment there was not profitable employment for the capital of the country. Notwithstanding the low rate of interest at which money could be borrowed, there were not to be found traders in the United Kingdom who could see any profitable means of embarking it in any speculation whatever—that he believed was true of nearly every branch of commerce and manufactures. Were the Government and Legislature of the country to allow things in such a state to take their course—were they to say to the people, "You must wait for the operation of natural causes, and not look to any amelioration of system for that relief of which you now stand so deeply and alarmingly in need?" Amidst the various departments in which distress prevailed, if there were one which stood peculiarly forward it was the shipping interest. He had within a short time received a communication, in which it was stated that the spring freights opened at rates one-ninth lower than the former year; and in every point of view, however much they might have suffered last year, the present was infinitely worse than any preceding season. Those were facts, and facts well authenticated—facts which he believed would receive no contradiction; it was therefore that he stated them, and confined himself to them, for he might easily procure a variety of other statements, if possible more strong, respecting other departments of trade and manufactures; but he had no wish to exaggerate the distresses of the country. They were alarming and severe enough, without adding to the pressure of them by overcharged descriptions. One of his grounds of complaint against right hon. Gentlemen opposite was the manner in which they met the present Motion. They applied themselves, in the course of the debate, to any thing rather than what formed the question at issue. Thus, on the first night of the present debate, the right hon. Gentleman (the President of the Board of Trade) advanced with much form to the discussion of the Motion, and when he came to the most important branch of it, he suddenly started off, or to use a sporting phrase, baulked the fence, and left the House in the same state of uncertainty and ignorance as before he began his speech. He confessed that never, on any similar occasion, did he experience a greater disappointment than when the right hon. Gentleman declined to enter upon the considerations connected with the state of the currency, and the mode in which it affected the present distresses. He declared himself unable to comprehend how any Member of that House could profess to inquire into the distresses of the country, and pass by altogether a matter so intimately connected with them as the state of the currency—a matter which many held to be amongst the chief causes of that distress. Nobody could deny that there had been a great depression of price, and that, during that time, taxation had stalked like a giant through the land fattening on the ruin it created. To ascertain the influence of taxation on prices, and on the general distress, some persons denying that it was injurious, and to ascertain the influence of the alteration in the laws concerning the currency, on prices, were, he had no doubt, among the most important duties of Parliament. For his part he must say, that nothing was better worthy the attention of Parliament—nothing which at the present moment could better occupy their attention, than to consider whether, without debasing the currency, it might not be so far replenished, by a judicious issue of paper, as would give a salutary stimulus to prices and manufactures, and revive the suffering commerce of the country. He thought that a committee might be very usefully employed in investigating the best mode of carrying so desirable an object into practical effect. The committee might also advantageously direct their labours to the subject of an improved system of banking, more calculated for the necessities of a commercial community than that which at present existed in this country. He had not the slightest hesitation in expressing his opinion, that the standard ought to be changed; and to this he would add, that he felt no doubt whatever, that if the well-known measure which bore the name of the right hon. Gentleman, and would continue to be known as his, were again to be proposed to Parliament, its authors would shrink from pressing it upon the acceptance of the Legislature; and sure he was, that if they were to go the length of doing so, Parliament, foreseeing all the evils that have since arisen from that measure, would reject it in a manner the most marked and decided. He was satisfied, that were the same Bill to be proposed over again, the consent of Parliament could never be obtained to anything so unjust and oppressive to the country. However, the deed had been done, and it was now the duty of all—when no perfect remedy was practicable- to do what the circumstances of the case admitted; it was the duty of every man in the country to do the utmost he possibly could for the relief of the country; and it was the duty of every Member of that House to apply himself sedulously and seriously to the discovery of what might be done towards meeting the present emergency. He was convinced, indeed, that if something were not done, discontent would increase, and, like the earth-born giants of old, would shake the earth with convulsions in endeavouring to cast aside its fetters. He was apprehensive that this might be the result, and therefore he said inquiry was necessary, and that every thing possible ought to be done by that House to relieve the public distress. He went further, and would say, that they ought to co-operate with his Majesty's Government in everything that they undertook for the public good; for the existing Administration was, generally speaking, well deserving the confidence of Parliament and of the country. There was no set of Gentlemen, on either side of the House, whom he should more desire to see in the Councils of his Majesty. He believed that a change of men could work no beneficial results—that none could be found to assume the reins of Government with better prospects of success than the right hon. Gentlemen opposite, though he must qualify this testimony in their favour by repeating his objection to the course they had thought proper to take in reference to the present Motion. So much he felt bound to say in vindication of himself, and in justice to the country and the Administration.

Mr. *Courtenay* would state shortly his views to the House upon this most important occasion; in commencing to do which, he could not help saying, that those who were loudest in their expressions of sympathy with the sufferings of the people, were the slowest to bring forwad any measures of relief, or to pledge themselves to any definite proposition for the benefit of the country. It had been made matter of repeated accusation against the Ministers, particularly by the hon. Member for Newark, that at different times they had attributed the public distress to various and contradictory causes. First, they were accused—or rather he should say, not the present Government, but several successive Governments were accused—of attributing the distress, some years to a transition from a state of war to a state of peace. Now he believed that, at this distance of time, no one could doubt who looked at the condition of the country at that period, that the distress then prevailing was to be ascribed to that cause. At that period, the mere disbanding of the Army and Navy was in itself a considerable source of public inconvenience, and one of the most active causes of public distress; and he believed, that if the other causes to which, in truth and in justice, his Majesty's Government felt bound to impute the distress, were fairly examined, they would prove not less to have produced the effects ascribed to them. In his opinion, the mistake most frequently made consisted in supposing that any practical measure to be introduced by the Government, could remove at once an extended evil, and one, the causes of which were, in many instances, beyond the reach of legislation. In the case of the public distress which took place at the beginning of the present peace, it was to be observed, that not only was there the transition, with all its attendant evils, but trade suffered, and those to whom the administration of public affairs was then intrusted, had the additional difficulty to encounter, which has only since their time been ascertained, that a great alteration in all the relations of the country—agricultural, manufacturing, and commercial, and of all other countries, was then in progress. Over-production was the next cause to which the public embarrassment was attributed. Of the reality of that cause—of its wide and powerful operations, he believed there would now be as little doubt as of any proposition which could possibly be announced. Not alone in England, but all over the world, did over-production prevail. With peace, then, came the loss of much that we possessed during the war —many sources of commercial wealth possessed through and by the war ended with it- -many advantages incompatible with a state of peace were lost likewise, and added to these were the effects of over-production, which we felt in common with the rest of the world. All those causes, though different, were real and effectual in their operations, and with them was combined extensive competition, which reduced prices to a level before unknown, and produced an amount of public distress which every one who aimed at popularity ascribed to all imaginable causes. The Bank Restriction Act, he was ready to admit, was not without its share in producing much of the public embarrassment which at different times had arisen; that measure gave a fatal facility to improvident speculation, and produced great injustice to many portions of the community. That restriction having been at length removed, and it not having been proposed by the hon. Member who spoke last, to repeal the bill of his right hon. friend, it would be unnecessary for him to enter upon that topic. He heard no distinct proposition for the restraint of cash payments, and therefore he felt the less called on to enter upon that subject. He could not, however, pass to any new topic without observing, that the suffering of the several classes to which he adverted was aggravated by unfavourable seasons. In every instance, however, the effects produced by the weather were laid upon the Ministers, and they were held responsible for the dispensations of Providence. The hon. Member for Newark said of the Ministers, that they complained of the seasons, sometimes as being too wet, and sometimes too dry, as if such a complaint was self-contradictory. Now, to his mind it appeared the best founded and consistent mode of accounting for distress that could easily be imagined. Might not the hon. Gentleman himself on some occasions find his roast beef under-done, and at other times over-done, and in both cases to blame his cook. Again, another class of hon. Members, who professed to represent the country, urged that the public establishments ought to be reduced, and taxes repealed; he thought the time had at length arrived when a cry of that kind ought to cease. Since the termination of the war, forty per cent of the taxes had been repealed, and the public establishments proportionally reduced. But with objections of that class it was unnecessary any longer to contend. The real object of those who opposed themselves to the views of his Majesty's Government, upon a question of that nature was to procure a return to the small-note system. Now he would inquire in what way did those hon. Members suppose that the small-note system would restore the prosperity of the country; was there a want of circulating medium in the United Kingdom? If so, he wished they would supply Parliament with some more satisfactory evidence of that fact than had yet been adduced. Did they mean to say that the whole gold and paper circulation, taken together as it at present stood, was insufficient for the occasions of the country, and less than in its present state it required. If such was their view, he begged to be excused on that occasion from entering into any detailed reply to them. He would not then go into the statements and calculations necessary for rebutting an opinion so ill-founded; for he thought that in doing so he should be but abusing the patience of the House, and wasting its time, in insisting upon truths already acknowledged by the great majority both of the legislature and of the more intelligent portion of the community. But this much, however, he would say, that if a return to the small-note system, by increasing the circulating medium, produced the required remedy, he would gladly learn what there was to prevent the increase of the circulating medium being made to produce all these beneficial effects if it were applied in metals instead of paper. He would not enter into calculation as to the amount of the currency, but he would say, that if hon. Members wished to remedy the want of sufficient circulation, gold would be just as effectual for the purpose as notes. Why then require an issue of 1*l.* notes? From his own experience of what took place in the west of England, he could state, that there was not a 1*l.* note withdrawn from circulation which was not replaced by a sovereign. But the true reason, as it appeared to him, why hon. Members required an issue of 1*l.* notes was this—that the country banker would be more disposed to lend five 1*l.* notes than five sovereigns, or ten half sovereigns—that he would not be so strict as to the security in lending notes as in advancing sovereigns. The right hon. Gentleman then proceeded to contend, that an extensive issue of small notes would have the effect of driving the gold out of the country—that gold would then become scarce and dear, and that the time would come when a demand would be made for it, and there would be a run upon the banks, and even upon the Bank of England, which they would not be able to meet, and the situation of the country would be worse than ever. It had been said, that this might be avoided if the system of banking were established upon a principle of greater security. Much as he would wish to see our banking system carried on on a principle of great security, he did not see any system on which the adoption of an extensive small-note circulation would not be liable to the evil consequences to which he had just adverted. The hon. Member for Newark had urged what he called the system of free trade as a cause of the distress of the country. He would ask the hon. Member what he meant by free trade? He would tell him further, that if he continued to blame the

Government for the passing of laws in which the great majority of the Members of that House had a share as well as any of his Majesty's Ministers—if the hon. Member for Newark continued this system of accusation, without himself introducing some specific remedy—he would denounce him to the public as a betrayer of his trust. He would say, that the Member for Newark evinced apathy to the distress of the people, and not the Government. The Government did all in its power—it had reduced taxes as much as the circumstances of the country would admit. The Ministers had applied the only remedy they could command by reducing taxation—and he repeated that if the hon. Member for Newark renewed his attacks on Government for what they had done—and for not doing something more, without some specific plan of his own—he would denounce him as a wordy man, without meaning, who did not do his duty to his constituents and his country. He would not waste the time of the House by going into the theory of free trade; he would state a few plain facts—one was, that the experiment of free trade had been successful as far as it had been tried, and he wished it had been carried further. There was not an interest connected with it which it had not bettered. He knew not if the House recollected, that about two years ago he stated in his place, that he had not given the subject of free trade much of his attention, and he used a phrase at the time with reference to his unacquaintance with it, of which he supposed he should never hear the last. Since then he had studied the subject, and he now confessed that he embraced it from a conviction of its superiority over any system which we had ever adopted. This acknowledgment he felt was but an act of justice to his right hon. friend, the Member for Liverpool. The right hon. Gentleman then adverted to the low prices throughout the world as a cause of the distress we felt, and contended that laws preventing importation would have no sensible effect in bettering our condition, even for a short time, while in the result such laws would aggravate the pressure on the country. If low prices had thus a disadvantage, they had also a compensating power of relieving the country by reaction, and then they would bring us to act on that which he took as the sound principle of free trade, viz. of procuring the articles we might want where we could get them at the cheapest rates, be it in the domestic or foreign market. This was the principle of free trade on which the Government was determined to act. He had only one word more to say. The hon. Member for Newark had told the House, on a former evening, that he liked free trade, to a certain extent; that was, if they were to import the articles of other countries, let them give the produce of their own in exchange. He was really ashamed to have to answer such an argument in that House; but, plain as it was, it seemed not to be plain enough to meet the hon. Member's understanding. Did the hon. Member imagine that foreigners would give us their goods for nothing? We must give them ours in exchange, or, if not, we must give them gold; and where could we obtain the gold except as the price of our goods? He would put the whole question of the committee upon this point, and would consent to it on condition—that the hon. Member for Newark should go before the committee to be examined, and should submit to a cross-examination by, he would say, the hon. Member for Dover, who was well acquainted with the subject, and should, in a few plain answers, not exceeding four or five lines each, and, without epigram or metaphor, be able to show that it was possible for us to import the goods of foreigners, without giving our own goods, or money purchased by our own goods, in exchange for them. In conclusion, the right hon. Gentleman observed, that as he could see no measure likely to be proposed by the committee but a revision of our system of currency, and the issue of small notes, a measure which would raise expectations that could not be realized, he must give it his negative.

Sir *Richard Vyvyan* said, he could not concur in the view taken of this subject by the hon. and gallant officer (Sir H. Vivian). He did not think the country was in a state approaching to prosperity; on the contrary, from his own knowledge of the condition of the people in Cornwall, and from his information as to the state of other parts of the country, he was convinced that it was suffering very severely. We were now in that situation, that if some remedy were not applied in time, they might, in three Sessions more, meet under a different form of government. He would not go into any detail as to the state of distress in which the country was, but after the admission of the Chancellor of the Exchequer on Monday night, that the country was so pressed with taxation, that he felt it necessary to relieve it by taking off nearly 3,500,000*l.*, it was hardly consistent with common sense in hon. Members at the opposite side to deny that distress existed. The admission was made by his Majesty's Ministers, and they acted upon it to an extent which he allowed would give some relief, though not equal to what the country required. Some hon. Members attributed the distress to the state of the Poor-laws—some to taxation—some to over-population—but all admitted that the body politic was diseased. As to surplus population, he would not admit that in a country capable of supporting a much greater number of people than it had at present, there could be a surplus population; but looking at the manner in which the labouring poor were treated, at the state of their small cottages, and at the whole system of the Poor-laws, he would say, that under such a system, a population of only half the present amount would be a surplus population. The hon. Member then adverted to the terms in which the right hon. Gentleman (Mr. Courtenay) had alluded to the sentiments of the hon. Member for Newark—terms so different from his usual mildness of temper, which, he must say, were not called for by any thing that had fallen from the hon. Member. Mr. Sadler, he believed, was perfectly sincere in the principles he advocated and was much respected by a very large portion of the community. He hoped, however, that those terms proceeded merely from the heat of debate. The mind of the right hon. Gentleman, which had undergone a change on the subject of free trade since this time two years, when, as he himself confessed, it was a sheet of white paper, had had certain principles written on it in respect of that system, one of which was, that we should purchase articles where we could get them cheapest, without reference to whether they were foreign or domestic. But what would the landed interest, who supported Ministers, say to such a declaration as this from the Vice-President of the Board of Trade of the country? How would it affect them on the subject of the Corn Laws? The hon. Baronet then proceeded to take a review of the causes of the present distressed state of the country, and observed that many of them had arisen from circumstances which no Sovereign, however powerful, could control, or no philosopher, however wise, could remedy. He admitted the truth of a remark attributed to the Premier in another place, that the extent of our machinery was one cause. In the present state of civilization that could not be avoided. It was, however, an innovation of which future times would derive much greater advantage than we could at present, as the change caused by its introduction was productive of much present inconvenience. These causes had, indeed, been urged into increased effect by the actions of Ministers. In the year 1824 it was said, that it was utterly impossible to force the markets of the world, or to produce more in this country than could be consumed in the new States of South America, which were fast rising into political and commercial importance. That doctrine was most fully acted upon in this country in the year 1825, and the consequences were well known. In his opinion the government of that day had, in a great measure, instigated that immense trading; and it did not, as it ought to have done, express decided opinions concerning the course which English merchants and manufacturers were then pursuing. None of the Ministers had stood up in their place, and pointed out the ruin which must ensue from following such a course. For himself he would neither follow party nor prejudice—he would look at this, as at other questions, fairly; and no mere party feeling should induce him to say, that the Government was unworthy of confidence. Still, however, he could not overlook those instances in which he thought Ministers had acted with great indiscretion. But while, on the one hand, he would not for mere party feeling make the Ministry the object of his attack, neither would he, on the other hand, forget all that they had done wrong in consideration of any particular measure of theirs that might have been of advantage to the people. The nation was in distress. Was it enough to say that it must not be inquired into because the noble Duke at the head of the Government had done what he could to pacify the country? The people asked for bread—but then the right hon. Gentleman, it was replied, made a great sacrifice last Session, and it would be improper to desert him now. What notion those Members who made that reply could have of the independence of Members, he was at a loss to discover. Could they turn, and turn, again and again, with every turn of the Administration. He was sorry he could not express his confidence in his Majesty's Government; but if any change of Administration should take place, and a new ministry should adopt measures that were agreeable to his ideas of what was for the benefit of the country, he should be most willing to join them. His friends and himself had abandoned no principle, but he could not say the same of some of those Gentlemen who now formed part of the Administration. There were some Gentlemen who in the year 1826 refused to form part of an Administration, because the right hon. Gentleman then at its head was stated to have in view a certain measure to attain an object to which they objected. In that refusal they were supported by the approbation of many Members of that House. But now both these parties came forward and claimed great merit—the one for having introduced, the other for having aided in passing that very measure. It was from seeing the constant attacks made by these parties upon those with whom he had the honour to act—attacks made in the public prints as well as in that House—and from the way in which the right hon. Gentleman addressed those with whom he had formerly been united, attacking them, and praising those from whom he had formerly differed, but to whose plans he was now a convert, that had induced him to speak so strongly. If in doing so he had said any thing that was unparliamentary, he was sorry for it; but he had felt strongly, and he could not avoid giving expression to his feelings. He would now make a few observations with regard to the currency question. It was not pretended that those who had borrowed in a depreciated currency could pay their debts under the standard established by the bill of 1826; but it was said that every pound note had been replaced by a sovereign. He might be misinformed, but he had made inquiries into that subject, and the bankers of the West of England had given him a very different account. It was said also, that the landed interest must make sacrifices. He did not know why, and why they had not received some information on that question. There was a reason given for the distress that happened in 1816, for that which took place in 1819, and there was an evident reason for the panic of 1825; but no reason whatever was given for the distress that now weighed down the productive classes of the country. What a farce, then, was it to sit there and refuse a committee to inquire precisely, because no invidual could state the cause of the distress. Why, what was the object of a committee, but to find out that which no individual could of himself explain? A committee would see what was feasible in such a case, and for that reason he should support the amendment for a Select Committee. They must take care that the capital of the country was not destroyed. The land, the labours, the products of the country, were its wealth—the credit of the country might be destroyed, but the wealth would remain the same. The measures adopted within these few years had much diminished, and had gone near to destroy credit. The legislature would not allow of credit under 100*l.*, but there had been a time when credit was given on so low a sum as 20*l.* He believed that one of the great causes of existing distress was, not that there were more or less sovereigns in the country, but that the bill of 1826 had annihilated a great portion of the representative property of the country. The Government admitted that there ought to be a representative property of 5*l.* and 10*l.* notes, but they insisted that the circulating medium should have a metallic basis. And so it might have with a less strict limitation of paper currency. There was no such thing as a fixed standard of value; because even gold itself, which was popularly considered as a fixed standard, varied with different circumstances in different countries. They had heard that a great part of the present evils arose from our National Debt—a debt which had been, it was alleged, contracted by a profligate aristocracy and an obstinate government. There was no man who had seen the result of that war, and who had benefitted by it (and there were many such in that House), who could lay it to the charge of Mr. Pitt, that he had unjustly entered into that war, unless he meant to say, at the same time, that he should have been prepared to consent to a change in the monarchical representative and religious system of this country. Fifteen years had now elapsed since the conclusion of the war—its effects we still felt, and could not get rid of them—our efforts, however, must be strenuously directed to alleviate the evil consequences of the war. The Chancellor of the Exchequer had endeavoured to pursue a certain plan, part of which was to reduce the public funds. It had been said by some, that the fact of the public funds rising was an undoubted indication of national prosperity. He disagreed with that opinion. It was a well-established fact, that the public funds might rise in national prosperity and in national adversity—in prosperity on account of public confidence, as in the year 1825; and in adversity on account of the want of confidence, and the feeling among men that they had no other profitable means of investing their capital. He believed that money, to a large extent, had been sent up from the country to be invested in the funds, with the view of creating that rise in the price of stock which was said to be an index of public prosperity, but which, he contended, indicated no such thing. It was said that the re-issuing of paper money would bring this country into the same state as that of France just previous to the Revolution; and that if the Minister were allowed to pay the claims on the Government with Exchequer Bills, and to make them equivalent to money, he would not resort to taxation to furnish him with funds. The Government expenses were not merely those which the service of the country called for, but the payment of the interest of the National Debt. The whole of these expenses were raised from the people—the interest of the debt in the shape of Excise and Customs. The latter were now much diminished, and he must declare his firm conviction, that, sooner or later, the Government must resort to the measure of a depreciated standard—they must have a paper currency—or commit a direct and open bankruptcy; for they never could go on in their present course. In this condition of the country, what would be the consequences if we were compelled to go to war, or even if we could remain at peace? It was foolish to blind ourselves to the real position of the country. There was a work, an extract from which he would read, though he had little doubt that all the Members of that House were well acquainted with it, because it appeared to him particularly applicable to present circumstances. It was nearly at the end of Mr. Hume's "Essay upon Public Credit." Mr. Hume had, indeed, been a prophet; but he had never calculated that there would be at last found a Government that would, out of an unheard of principle of generosity, pay more than it had borrowed, and place the country in such a situation as that in which it stood at this moment. Mr. Hume said—"I must confess that there has a strange supineness, from long custom, creeped into all ranks of men, with regard to public debts, not unlike what divines so vehemently complain of with regard to their religious doctrines. We all own that the most sanguine imagination cannot hope, either that this or any future ministry will be possessed of such rigid and steady frugality, as to make a considerable progress in the payment of our debts; or that the situation of foreign affairs will, for any long time, allow them leisure and tranquillity for such an undertaking. What then is to become of us? Were we ever so good Christians, and ever so resigned to Providence; this, methinks, were a curious question, even considered as a speculative one, and what it might not be altogether impossible to form some conjectural solution of. The events here will depend little upon the contingencies of battles, negotiations, intrigues, and factions. There seems to be a natural progress of things which may guide our reasoning. As it would have required but a moderate share of prudence, when we first began this practice of mortgaging, to have foretold, from the nature of men and of ministers, that things would necessarily be carried to the length we see; so now, that they have at last happily reached it, it may not be difficult to guess at the consequences. It must, indeed, be one of these two events,—either the nation must destroy public credit, or public credit will destroy the nation." He thought these opinions were perfectly true, and what was the consequence? We were now at peace, but it was impossible that any man could say we should not soon again be involved in war. If we were, we must then be forced upon the consideration of the question of the currency. We must again go into the market—we must increase the amount of the National Debt—and finally, we must follow the system which all other nations had adopted, we must make a compromise with the public creditor. That was a part of the question on which it was a matter of great delicacy to speak. Those men were no patriots—they had no regard for the honour of their country (an honour above that involved in keeping up the payment of the full interest of its debt), who, when large fleets and armies were wanted, would not keep them up, and put themselves to some inconvenience to maintain them. Before he sat down, he wished to call the attention of the House to the state of public feeling out of doors. It was most depressing—it was a state that must soon have an end, and he besought them to consider it with the most deliberate attention. If, in the course of the observations he had made, he had wounded the feelings of any individual, he was sorry for it, and he should much regret if he had said anything that would tend to diminish the value or importance of public credit. The circumstances in which we were now placed were stronger and more imperative than any common rule of action. We must trust for our deliverance to Providence, in some respects; but we must endeavour also, by our own exertions, and by the readiness of all to make sacrifices for the common good, to escape from our present difficulties. The public feeling out of doors had been sufficiently manifested by meetings and petitions without number, and it was their duty to respond to that feeling by a proportionate alacrity in examining into the sufferings of the people with a view to their relief, thereby demonstrating that the charges of apathy which had been brought against them were unfounded.

Mr. *Courtenay* said, that nothing could be further from his intention than to say any thing personally offensive to the hon. Member for Newark, and if he had in his remarks passed beyond the fair line of controversial debate, he was bound to say that he was sorry for it.

Mr. *Buller* said, it was their part to consider, first, what were the nature and extent of the distress; and secondly, what was the remedy which it behoved them to apply. The hon. Member for Cornwall had observed, that the Ministry themselves admitted the fact of the distress by their remission of taxes. But who, he asked, had been ever found to deny it? The gist of the question was, whether it was distress of a nature for the Legislature to control, or rather of a kind to be remedied by the natural operation of events. He certainly thought that it had been very considerably exaggerated. The petitions were at least of a very unselfish character, as they chiefly complained of the sufferings of parties unconnected with those who were annexed to those documents themselves. The hon. Member for Newark had represented the statements of the President of the Board of Trade as contrary to the evidence of the nation, and referred at the same time to a petition from Leeds, signed by 1,500 of the inhabitants. He, however, taking this mode of computation for his example, thought he had an equal right to draw a negative inference from the numbers there and elsewhere, whose names were not attached to petitions. Now, the population of Leeds was estimated at 80,000, and the manufacturers themselves might be reckoned at 20,000; yet but 1,500 complained. Those hon. gentlemen who joined loudest in murmur, and reproach, and expostulation, it might be observed, still kept their eyes fixed on their favourite monopoly, with a constancy worthy the imitation of lovers, despite all the sympathy and patriotism of their professions. They talked of a change in the circulating medium, and were, no doubt, ready to maintain that Cobbett was the brazen serpent to which the children of Israel were to look for healing in the day of their distress. The agricultural distress might be imputed, in his opinion, to the operation of local causes,—causes of a temporary description,—and the distress in trade, he sincerely believed, was not so great as represented.

Mr. *Huskisson* spoke in substance as follows:—Sir; The principal arguments which have hitherto been adduced in favour of the Motion,—I might, indeed, say the whole—by those who have given it an unqualified support, turn upon some undefined alteration which they wish to effect in our Currency. The hon. Baronet who lately preceded me (Sir Richard Vyvyan) has ventured into the field of prophesy. He predicts, that we must, ere long, come to one of these alternatives—either a depreciation of the Currency, by a return to an inconvertible paper circulation, or a national bankruptcy. The hon. Baronet fortifies himself in this prediction by quoting one from Mr. Hume, whom he describes as a true prophet, for having foretold, in his Essay upon Public Credit, that bankruptcy would be, at no distant period, the inevitable result of the extension of our debt. Many years have elapsed—more than seventy—since this prediction of the philosopher was given to the world. I hope that the hon. Baronet may, for as many years, continue to survive his prophecy, and to serve his country; but however long his life may be, I trust that many more years will pass away, as in the case of Mr. Hume, before the hon. Baronet is found to have been a truer prophet than his predecessor has proved. Now, Sir, I trust that neither the hon. Member for Shaftesbury, who has originated this motion, nor my hon. friend, the Member for Shoreham, who has moved the amendment, will consider that I am wanting in respect to them, if I decline to argue, at any length, the state of our Currency, in reference to the alterations which were made in it between the origin of its derangement in 1797 and its final restoration in 1819. From the period of the Bullion Committee, of which I was a member, in 1810, I have so often had occasion to state my opinions on this—the great, though not the only, source, of the difficulties of the country—that I willingly leave to others the task of following the hon. Gentlemen upon this exhausted subject. I will only state, that in 1819, when the bill, now called Mr. Peel's Act, was brought in, I was unavoidably kept away from the House by illness; otherwise I should have given to that measure my active and cordial support. In 1822, when a motion was brought forward by the hon. Member for Essex, for revising that Act, and altering the standard of value, I had an opportunity of stating very fully my sentiments upon the subject. To that motion I moved an amendment in the following words, "That this House will not alter the standard of the gold and silver coins of this realm, in weight, fineness, or denomination." In this amendment, after two nights' debate, the House concurred, by a majority of 194 to 30. If this, Sir, was the resolution of the House, three years only after the Act of 1819, how much more ought we to adhere to it in 1830! The greatest of all curses, to an opulent and commercial country, is a system of vacillation, unsteadiness, and alternation in its standard of value, frequently disturbing and unsettling the property and fortunes of individuals, and destroying the foundation of confidence and security in all contracts and pecuniary dealings between man and man, as well as in the honour and good faith of the Government. I wish I could say, that there are no other causes connected with our Currency (even as it now is), which, by affecting commercial credit, render alternations in its value far too frequent, and which I think it ought to be our duty to endeavour to correct. Were I prepared to admit—which I certainly am not—that in 1819 we should have been justified in lowering the standard of our Currency, instead of simply restoring it, I must not the less contend, that we can exercise no such discretion now. I know there are many well-informed persons who take a different view from me of the course which we might have pursued in 1819, when we had to make a choice upon this subject. It is quite consistent in them, thinking that we committed an error in 1819, to maintain as most of them, I believe, do, that it is now better to endure the evils which that error has brought upon us, than to venture to disturb the settlement once made, at the risk of all the disquietude, alarm, and derangement, which would inevitably attend such an attempt. From the prevalence of this feeling, I am not afraid that any such attempt will find many partisans in this House; and I own that I consider it a necessary preliminary to the efficacy of every suggestion of relief, that we should, if possible, pronounce ourselves so decidedly on the permanence of our present monetary system, as finally to set at rest all hopes and fears on this too long agitated question. There is one branch, indeed, of this subject which does not, I admit, involve any necessary alteration in the standard of our Currency: I mean, the circulation of one pound notes, convertible into coin upon demand. Their suppression rests upon distinct grounds. It is manifest that notes, of the same denomination with our principal gold coin, cannot be allowed, without the effect being to drive the latter out of circulation. Such, therefore, would be the consequence of small notes being again permitted. Upon the first excitement in trade, leading to a general improvement in prices, these notes would be largely issued to facilitate speculations. The foreign exchanges, for a time, would not be materially affected, because these speculations, as far as they led to payments abroad, would be provided for by the exportation of our gold coin. In this mode, the greater part of our coin, as well that deposited in the Bank, as that in circulation, might gradually disappear, the exchanges still remaining very slightly affected. The importation of foreign goods would be promoted by this large exportation of our coin, and by the rise of all commodities in this country. Every thing would appear prosperous; but the prosperity would be short-lived and delusive. The time would come, in which the Bank of England, alarmed for its own safety by the lowering of its treasure, would be under the necessity of taking decisive measures to protect itself. The effect would be a renewal of the panic of 1825, and of all the miserable consequences by which it has been followed. If, therefore, we make up our minds again to encourage the circulation of small notes, we must be prepared for one of these alternatives—either their paving the way for, and gradually leading to, another Bank Restriction (from which we so narrowly escaped at the end of the year 1825),—or for alternations of fictitious prosperity, such as immediately preceded that crisis, to be followed by overwhelming distress, such as that by which it was terminated. Upon this ground, it is a great satisfaction to me to find, that his Majesty's Government have resolved to maintain the suppression of one pound notes in England; not because they are in themselves depreciation, but because, so long as they are suffered to exist, you can only escape the greater calamity of restriction, leading to an inconvertible paper currency, by the evil only second to it in degree, that of such a calamity as befell us in the autumn of 1825. Looking to the Motion, however, in its more general character, I am not one of those who have underrated the present distress. The numerous petitions attest its existence, and a document, recently distributed to the Members of this House, is unfortunately no slight confirmation that their allegations are but too well founded. The document to which I allude, is "an Account of the monthly amount of the sums paid in and paid out, on account of Savings' Banks, for the two last years." The year 1828 exhibits the following amounts—paid in, 945,448*l.*—drawn out, 678,420*l.*:—the year 1829, paid in, 449,493*l.*—drawn out, 1,444,937*l.* The figures,* and the comparison which they afford, speak for themselves, and must be taken as a strong indication of the increasing difficulties of the laborious classes in the year 1829. But whilst I acknowledge, and deeply lament, the intensity of suffering and misery which have been endured in many quarters, especially during the last severe winter, I cannot take that gloomy and hopeless view of our situation to which some appear to yield themselves up. I never can believe, that a country like England, however crippled for a time by some derangement in the system of its interior economy, can be reduced, all at once, to a state of helpless weakness, and irremediable decay. I have a more just reliance upon the sources of our wealth and power, in every branch which constitutes the substantial riches and real strength of the country, its agriculture, its commerce, its manufactures, its immense accumulation of fixed capital, the energy of our national character, and the indefatigable industry of an ingenious, enterprising, and orderly population. I have a further ground of well-founded confidence for the present, and of sanguine hope for the future, in an enlightened public opinion, exercising every year more and more, under the benefits of free discussion, its salutary influence upon the councils of Ministers, as well as upon the deliberations of Parliament. There is no man, I think, who can read the signs of the times, who can recollect the occurrences of the last, or who witnesses those of the present Session—those I might say which have marked the present week—without feeling this consolation. This growth of intelligence, it is true, is not in itself either productive industry or national wealth: but it is the shield which protects both against the encroachments of power, and the errors of empiricism. It is the finger-post, which, in the hour of doubt and difficulty, points the path of safety, and guides us in the career of rational improvement. Admitting then, as I do, the existence of distress, but hoping, at the same time, that, for the present at least, we have seen its worst, it still becomes my duty, whilst I cling to that hope, to inquire into the causes which, in the midst of profound peace, have produced such frequent recurrences of public embarrassment. It appears to me, Sir, and it is well known to several of my right hon. friends, that my opinion is of much longer standing than the present emergency,—that the main difficulty, not an occasional, but rather an habitual difficulty, under which this country labours, is the too great pressure upon the springs and sources of productive industry: and that this pressure, from the very circumstance of its being too great in ordinary times, becomes excessive, and is subject to fits of exacerbation, from any incidental casualty, such as an ungenial season, or a temporary derangement in any considerable branch of our manufactures or trade. To a casualty of this description we must always be liable, but it ought not to reduce us to suffering like that which we now endure, if we had been before in a robust and healthy condition. If I am asked the cause of the habitual existence of this too great pressure, I can only state the impression of my own mind.—It is simply this, that, in the distribution of the annual income of the country, by which I mean everything, having value in exchange, that is raised and produced by the labour of its inhabitants, and from which fund are derived the subsistence, the comforts, and the enjoyments of all, from the monarch to the peasant,—I say that, in its distribution, the portion of it reserved for reproduction is now, and has been for some years, less than it ought to be, either for the well-being of the labouring classes,—the immediate instrument of that reproduction,—or for the due maintenance, and progressive growth, of the capitals by which their labour is called into active exertion. I am aware that, in this statement, I have only said in other words, that the wages of labour have been too low, and the profits of fructifying or productive capital less than they ought to be: but there is an advantage, in a discussion like the present, in describing these evils, so as to trace them to their elementary causes. Many concurrent circumstances have contributed, since the restoration of peace, to produce this unsatisfactory state of things. Over some of the causes to which it may be traced, we have, from different reasons, little or no control: for instance, we cannot regulate the course of the seasons, or the competition of other countries with the products of our own in the foreign market. Neither can we interpose our authority—God forbid we should!—to stop the progress of improvement in mechanical or chemical science, or to interfere between landlord and tenant, or in the other pecuniary dealings of society. To the consequences of other causes of difficulty we have deliberately submitted, as the only way of escaping from far greater evils; for instance, in putting an end to an inconvertible paper currency. But there are causes which, if they have produced any part of the evil, are completely within our control. I allude now to that change in our commercial policy, to which so much of our present distress has been ascribed by clamour out of doors, and by more than one speaker in this debate. When people are suffering, nothing is more easy, and, with superficial observers, more common, than to raise, or join in, any cry which saves the trouble of thinking. Free Trade, as it has been absurdly nicknamed, by those who use words without knowing what they themselves mean, has in this way been denounced by the disappointed selfishness of some, and adopted without consideration by others, as the source of all our difficulties. It has been so designated by the honourable Alderman Waithman, one of the Members for the City of London, by the honourable Members for Cornwall and Newark, and by others; but none of these honourable Members ever condescend to tell us what they mean, or understand, by Free Trade. It is of this that I have before complained, and that I again complain on this occasion. Do they know the changes which have been made in our commercial policy, since the restoration of peace? If they do, why not point out to this House specifically the alterations of which they disapprove, and move, as it is fully competent for them to do, for the repeal of the particular Acts by which they have been effected, and for the revival of Acts, now no longer upon the Statute Book, by which industry and trade would again be placed under their former regulations? Would not this course be more consistent with the strait-forward duty of legislation, than to give their countenance to a senseless clamour, and to keep up delusion and irritation among a suffering people, instead of making any attempt to administer that relief, which, if they have faith in their own declamations, it is in their power to propose; I say now, as I have said before, it is the duty of those Gentlemen to tell us, intelligibly and in detail, what it is that has been done which ought to be undone, and what they would substitute for that which is now in existence. Every challenge of this sort they have hitherto declined, forgetting that it is scarcely fair to arraign a system which they are not prepared to amend, and that they are sent here, not to aggravate what is wrong by inflammatory denunciations, but to correct it by calm counsel and appropriate remedies. This is a duty which they cannot expect to devolve upon those who differ with them in principle; and if they are not prepared to act upon it themselves, their omission is equally unjustifiable towards those who concur in their opinions, and towards Parliament, of which the measures are the objects of their obloquy and abuse; and when I say Parliament, perhaps, as the individual in this House most immediately responsible for those measures, and who, as such, has come in for the greatest share of that obloquy and abuse, I too may be allowed personally to complain of the injustice towards myself of this continued dereliction of their duty. Six or seven hundred statutes, passed for improving the commerce and industry of the country, by a system of protection, prohibition, restriction, and interference, have been repealed. How many of these laws do they propose to re-enact? Or do they wish to revive the whole, with all their vexatious, conflicting, frequently contradictory, and invariably absurd, regulations? Do they wish again to introduce prohibition as a principle for the encouragement of trade, and to revive monopoly as a benefit to the consumer? If they do, in God's name, let them make the attempt, and let Parliament, under the guidance of common sense and public opinion, decide between the advocates of such a system, and the support of what they deride, but dare not discuss, as the system of Free Trade. The honourable Baronet who spoke last, indeed, the Member for the county of Cornwall, has denounced that system as one which has for its sole object to force exports. There cannot be a more mistaken view of the subject. A forcing system, either of exports or imports, is altogether at variance with the policy which it has been my duty to recommend. That policy has been rather to put an end to such a system, and without any forcing, to leave to individuals to follow their own views, to regulate their own speculations, and to consult their own interests. This I consider to be a general rule, applicable alike to the industry and the commerce of the country. Exceptions to it may be justified upon grounds of special expediency; but they ought to be watched with the more jealousy, as every such exception is a departure from that course which, in the long-run, must be most conducive to public prosperity. We are told, indeed, by the honourable Alderman, and others of his school, who cannot deny that the quantity of goods exported of late years has greatly increased, that the more you export, the greater your loss; and the foundation of this almost ludicrous doctrine is, that the aggregate value of such exports has diminished in a greater proportion than the quantity exported has increased. Do the advocates of this doctrine seriously mean to contend, that our export trade, upon an average, is a losing concern, and that it goes on increasing, year after year, in proportion as it becomes more and more unprofitable? When I ask them this question, I do not mean to deny that some adventures have been attended with loss; that upon others the profit has been very small; but I cannot believe that men of common sense, prudence, and calculation, would, for a great length of time, persevere, much less that they should voluntarily increase their speculations, in any trade, when the amount of loss and not of profit (however low the latter) was to be measured by the scale of such speculations. In fact, Sir, I have one short answer to the tenets of that school of which the honourable Alderman and the honourable Member for Newark are now the acknowledged chiefs. It is this,—If you resort at all to the foreign market, you must be content to sell your commodities for the prices which you can procure in competition with the like articles, the produce of any other countries. You cannot control their capital,—you cannot regulate their industry—and do you expect to improve the chance of meeting them at equal prices by subjecting your own people to restraints and burthens, from which those with whom they have to compete are free? The honourable Alderman, therefore, must make his election;—either our export trade must cease, or we must be content with the price which the foreign market will yield. The purchaser in that market concerns himself very little about the cost of production here, or elsewhere: quality and price are the considerations by which he is governed in his choice between the British and the foreign competitor. Now, if this be the principle which regulates every foreign market to which our merchants resort, does it not follow, as a necessary consequence, that the price, in our own market, of every article, the like of which we export for foreign consumption, must be regulated by the selling price abroad? If the price abroad be permanently depressed, the home price must partake of that depression. This must be my first answer to those who tell us, that the home market of the country is every thing, the only market deserving of encouragement. The home trade must, of necessity, be of great importance and value; but it has been sacrificed, ruined, and put down (we are told) by the forcing and encouragement given, under the new system, to our export trade. To maintain this position the following argument, if argument it can be called, is had recourse to. The increase of our export trade has been followed by a more than proportionate decrease of the home trade; by forcing the one you have injured the other, and the result is, that both have become unprofitable. I know not how to measure the home trade, except by the home consumption. It may be difficult, especially for an individual like myself, unaided by the facilities which office affords, to ascertain accurately the amount of that consumption. I have, however, endeavoured, by a reference to the returns to this House, and with the aid of some most intelligent friends in the mercantile line, to collect information upon this point; and I will now, with the permission of the House, state the result. I have selected articles of the most extensive use in the manufactures of this country, and I have made my comparison upon the consumption of five years; namely, from 1816 (I select this as the year of the highest return) to 1820, both inclusive, and in like manner for the last five years, from 1824 to 1828.

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* This difference has, in some degree, been since accounted for, by a change in the law, and in the reduction of the rate of interest allowed by Government, which took place in November 1828.

The first article to which I shall refer is Cotton-Wool. The average annual importation, from 1816 to 1820, was 139,141,646lbs.; — the average annual importation from 1824 to 1828 was 210,886,992lbs. The average annual exportation of Cotton-Wool for the same periods was, for the first, 11,873,800lbs., for the second, 21,298,800lbs.; leaving of Cotton-Wool for manufacture in this country, an annual average, for the first period, of 127,267,846lbs.; and for the second, 189,588,192lbs. These respective quantities were disposed of in each period, in the manufactured state, as nearly as can be ascertained, as follows; first—Cotton-Yarn exported (one-eighth being added for waste), the annual average of the first period being 19,984,664lbs., — in the second, 48,472,202lbs.; —secondly, Cotton-Cloth exported (computing six yards of cloth of all kinds to be produced from one pound of cotton), annual average of the first period 255,507,058 yards—in the second period, 360,265,256 yards:—thirdly,—Cotton Cloth retained for home consumption (computing one pound of cotton to make five yards of cloth) in the first period, 227,003,484 yards—in the second period, 399,678,923 yards. I may here just observe, that the estimate of six yards to the pound of cotton for foreign, and of five for home, consumption, is supposed to be the nearest approach to accuracy, by those who are practically most conversant with the manufacture. The next article is Sheep's Wool. The annual average importation of the first period is 14,443,834lbs.;—of the second, 28,356,417lbs.: retained for home use, in the first period, 14,430,917lbs.;—in the second, 27,629,561 lbs.: official value of woollens exported in the first period—annual average, 5,313,429*l.*;—in the second, 5,763,632*l.* Now, the principal quantity of the wool imported is of the finer qualities; and as the increase of export in the manufactured articles of woollen cloth is very trifling, it follows that a great increase of consumption must have taken place in this country; unless it be maintained (which it certainly cannot, the reverse being the fact,) that the growth of British Wool has been diminished in a degree corresponding with the increased foreign supply. The increased home consumption is principally in fine cloth made of Saxon and the high-priced wools. The next article of import is Silk. The averages are as follows. Raw and waste, from 1816 to 1820, 1,444,000lbs.—thrown ditto, 303,126lbs.—from 1824 to 1828, raw and waste, 3,437,432lbs.;—thrown, 447,504lbs.:—the export of manufactured silk goods has varied very little, upon a comparison of these two periods. The importation of Flax is, for the first period, 368,371 cwt.;—for the second, 830,421cwt. I have not been able to obtain any satisfactory information as to the quantity of Linen Cloth exported, but there can be no doubt of a greatly increased consumption at home. Hides, in the first period, imported, 679,996;—re-exported 221,200; retained for home use, 458,796;—in the second period, imported, 1,873,314;—re-exported, 211,448;—retained for home use, 1,661,866. The next articles are Tallow and Palm Oil, for the manufacture of candles and Soap. Imported in the first period, of tallow, 545,540cwt:—palm oil, 34,910cwt.—soap exported, official valuation, 116,037*l.*;—candles exported, weight, 4,931,597lbs.:—second period, tallow imported, 946,760cwt.—palm oil, 95,942cwt.—soap exported, official value, 183,849*l.*; candles exported, weight, 7,818,718lbs.

The last article which I shall mention is that of fir timber; the annual average import of the first period was 289,379 loads:—in the second, for four years ending 1827 (I have not been able to procure the return for 1828) 541,654 loads. There remains, however, one other branch of our national wealth and industry, to which I must advert before I quit this part of the subject. From its importance, both in a commercial and political point of view, I could not pass it over, even if it had been omitted by the hon. Members who have preceded me in this debate. I allude, Sir, to our Shipping, which is stated to be fast verging to decay and ruin. If it had been asserted that the profits of the ship-owner were very greatly diminished, as compared to the period of war, and that they were small, even when calculated upon the present reduced value of the ship, I certainly should not deny the position. I regret that the returns of capital in this, as in other branches of productive industry, are less than I could wish them to be; but when the interest of money and the profits of stock are generally low, it would be vain to expect that the capital employed in shipping should form an exception. Indeed, from circumstances peculiar to the shipping interest, it was likely to suffer a greater revulsion than any other from the restoration of peace.

At the close of the war, our shipping had engrossed the navigation of other countries; and near one-sixth of the tonnage of our merchant ships was employed in the public service as transports. The commerce and navigation of other nations are now returned to their usual course in peace, and nine-tenths of our transports have been discharged from the public service. By the Returns which were laid before the House of Commons in the course of last Session, it would appear, that, in the year 1816 we had 25,864 registered vessels, measuring 2,783,940 tons;—and that in 1828, the number of registered vessels was only 24,095, measuring 2,508,191 tons. This diminution has been commented upon as shewing conclusively the gradual and melancholy decline of the shipping interest. It is, perhaps, scarcely worth while to observe, that by the same return, the tonnage appears to have been reduced, so early as 1823, to 2,506,760 tons:—that in 1827, it is stated at 2,460,500 tons; being, in the first of these two years, a trifle, and in the second 48,000 tons less than in the year 1828. But it is more material to state, that in the year 1816, the amount of tonnage was swelled by returning many ships which had long ceased to exist, and that at present the returns are accurately made. There is another parliamentary paper, however, which was also furnished last Session, and which, if properly considered, in conjunction with that to which I have now referred, will throw great and satisfactory light upon this subject. It is the paper which exhibits the number and tonnage of British vessels entered inwards and cleared outwards, in our trade with all foreign parts, for the same period as the former paper, namely from 1814 to 1828, both inclusive. We have already seen, that in 1816 the total tonnage of our registered shipping was 2,783,940: now, in that year, the total tonnage entered inwards from all foreign parts was 1,415,723—cleared outwards to all foreign parts, 1,340,277 tons—making together 2,756,000—being a fraction more than one ton of shipping for every ton of goods entered inwards and cleared outwards. In 1828 our whole tonnage, as I have already stated, was 2,508,191; but in that year the entries inwards were 2,094,357—and the clearances outwards 2,096,397—making together 4,190,754 tons, being somewhat less than five-eighths of a ton of registered shipping to every ton of goods entered inwards and cleared outwards, and being, moreover, a positive increase upon the entries and clearances of 1816, to the amount of 1,434,754 tons;—rather more than either of them separately amounted to in that year. I might further state, that the account of vessels entered inwards and cleared outwards for 1829 has been delivered this morning, and is as follows—inwards 2,184,535—outwards 2,063,179, making together 4,247,714 tons,—an increase, as the House will perceive, upon the antecedent year. Now I need scarcely remark to the House, that the quantity of goods, carried to and fro' between this country and all foreign parts, in British ships, within a given period, is the true measure of the degree of employment and activity of our commercial marine. If our ships had been navigated backwards and forwards, at the same rate of movement in 1828 as in 1816, it would have required upwards of 4,200,000 tons to have executed the transference of goods, which, in 1828, was performed by 2,500,000 tons of registered shipping.—On the other hand, if the accelerated movement of 1828 had prevailed in 1816, the transference of goods which, in that year, required 2,783,940 tons, might have been accomplished by about 1,700,000 tons of registered shipping. If Gentlemen think this change a misfortune, nothing can be more easy than to rectify it. We have only to restore the vexatious and contradictory laws, partly fiscal, partly protective, as they were called, partly commercial, which threw impediments and delays in the way of our commerce and navigation. We have only to take care that ships should not load and unload, make their entries, and obtain their clearances, with the present ease and dispatch. We have only to restore in our Custom-houses the regulations which harassed the ship-owner and the merchant, and to provide that the convenience and expedition, now so conspicuous in our commercial docks, should be so checked and encumbered with dilatory forms and useless interference, as to bring us back to the more sober pace of our former system. This is a task which I can scarcely be called upon to undertake; let those who arraign these improvements as ruinous innovations, propose their repeal, and thus bring the two systems to a fair issue. But, before they attempt to effect their purpose, let them calculate the results to the shipping interest. In trade the economy of time will always be found to be the economy of money. Every restraint is an increased expenditure of the one or the other. It adds, in more ways than one, to the charge at which the raw material can be delivered to our manufacturers, and the manufactured article conveyed to the foreign market. It operates as a premium in favour of rival manufactures, and as a tax upon our own. From what fund is that premium to be drawn, and that tax paid, except from the profits of the manufacturer's capital, and the wages of the labourer whom he employs? For, as was well observed by the gallant Member for Windsor, the price in the foreign market, be it what it may, must determine the price in our own market. If we are beaten in this race of competition, we shall want fewer carriers to effect the interchange of the products of our industry, against the raw materials of other countries. And how is the shipping interest to be benefited by the curtailment of our foreign trade? The truth is, that, under all the difficulties with which our general industry, including our shipping, has had to contend, since the restoration of peace—difficulties growing out of the enormous expenditure of war—the necessary restoration of our currency—and the active rivalry of other nations—nothing but a timely relaxation of our restrictive and expensive system, would have enabled us to bear up against the complicated disadvantages of our situation. That relaxation, so far as it has gone—and it ought to go further—has been gradually introduced, with due regard to the interests and arrangements which had grown up under a different system. But for the intervention of so many years of war, and of a war so peculiar in its character, these improvements would have been introduced, not only at an earlier period, but with less of friction and embarrassment in carrying them into effect. For I can take upon myself to affirm, from personal knowledge of Mr. Pitt's sentiments and views, that there was nothing which he more regretted, in the derangement of war, than the interruption which it gave to the improvement of our commercial policy,—an improvement which he looked to in the temperate and cautious liberation of trade and industry from all unnecessary shackles and impediments. These arguments, Sir, may have little weight with that select class, who claim to be, exclusively, our practical guides in political economy. With them, foreign commerce is a matter almost of indifference; according to them, England can be great, happy, and flourishing, within herself. Of what England they are speaking, I know not; certainly not of this country, as it now exists. The raw materials of every great branch of our industry (mineral wealth excepted) are derived, either wholly, or in great part, from foreign soils. Cotton,—which gives employment to perhaps two millions of people—wholly. Silk, which employs about five hundred thousand—wholly. Wool, in great proportion. Hemp and flax, in a proportion still greater. Fir timber, for all building purposes, nearly the whole. Dyeing drugs, the same. I say nothing of luxuries, such as wine, &c. But, looking only to the articles which I have enumerated, I would ask—are Gentlemen prepared to dispense with the comforts which the use of them here affords to our population? And if they are, are they still further prepared to tell us how that population could be maintained, if the conversion of these raw materials did not give employment to their industry? With what but that manufactured industry can we purchase them from other countries? Have we any superfluous raw materials of our own with which to make the purchase? Where is the spare corn, or the spare produce of our soil, which can be sent abroad for this purpose? No, Sir, of these productions we do not grow enough for our own wants. Our population, then, so far as it is employed in working up the raw materials of other countries, must find in its own industry the means of procuring those raw materials. Without them, that industry must cease; that population (it amounts to millions) must perish; and then, indeed, England—but not England great, happy, and flourishing—England, reduced to its former insignificance and barbarism—may disregard foreign trade. If, then, relief is not to be looked for by undoing, but rather by persevering in and extending, our present system of commercial policy; our next inquiry must be, how far that relief is attainable by a revision of the finances of the country. Within the limits of public faith, the amount of our taxation is under our control; and in respect to the mode in which it is assessed, distributed, and raised, the whole public revenue may be considered as liable to whatever alterations the wisdom of Parliament may find expedient. First, then, with respect to its positive amount, under the altered circumstances of the country, since the restoration of peace. I had occasion to state my opinion on this subject to the Committee upon Agricultural Distress in 1821, and as it is recorded in their Report, I beg leave very shortly to refer to it. It is as follows:—"Your Committee cannot disguise from themselves, that the weight of the public burthens of the country, their nominal amount remaining the same, must be more severely felt, in proportion as the money incomes derived from trading, farming, and manufacturing capital and industry are diminished. No exertion, therefore, should be omitted to endeavour to reduce those burthens, as nearly as circumstances will permit, in the degree in which such incomes have been reduced: for, in considering this subject, it is important to bear in mind, that the general amount and real pressure of taxation have been positively increased in the proportion of the improved value of our currency." I still retain that opinion; indeed, every thing which has since occurred has only tended to confirm it. The course at which it points is obvious. It is that which, I willingly admit, is now followed by his Majesty's Government. Credit is due to them for the retrenchments, certainly not inconsiderable, which they have already made, as well as for the new checks which they have established, and the further ones which they contemplate, for repressing that tendency to the growth of expenditure which constantly prevails in every department of the public service. A tendency which, as it pervades all branches of expenditure, requires to be steadily watched, and kept within bounds—of late years it appears to have been most vivacious, if I may use the expression, in that branch which is familiarly called the Dead Weight. After all the details and explanations upon this subject, which I have heard with satisfaction from the Chancellor of the Exchequer, I remain of opinion, that the proposed regulations ought, in some instances, to be drawn somewhat tighter, and that retrenchment may be carried considerably further. The Government has once gone over the wide field of expenditure, but what they have cut down is not adequate to the wants and expectations of the country. Let them repeat the operation, and they will find that more than gleanings are left behind. In the collection and management of the revenue, it was admitted by the Chancellor of the Exchequer, there is still room for reduction and reform. The diplomatic and consular establishment may be pared down without detriment to the public service. The door of admission to half pay, retired allowances, and superannuations of every sort, must be further straitened and narrowed. A careful revision of the Colonial establishments will afford a considerable saving. The expenses incurred on the coast of Africa ought, on every consideration, to be greatly diminished. The laxity of control over the appropriation of the revenue arising from Crown-lands calls for revision. This branch of the revenue, as much as the Customs or Excise, constitutes a part of the Consolidated Fund, subject to the expenses of management. Under this head of management it may be proper to include the expense of the maintaining, repairing, and keeping up that part of the Crown estate, which is expressly reserved for the recreation or state of the Monarch, such as parks, lodges, &c.; but as in the Civil List, so in this instance, a specific annual sum ought to be allotted for that purpose; not to be exceeded without an application to, and an express vote of, the House of Commons. There are also the savings which may, I hope, be effected in the great heads of our expense, the military and naval establishments of the country. I have made no objections to the estimates for the army and navy this year. In fixing the numbers, the Government, acting upon their information and responsibility, have a right to expect some degree of confidence from the House; especially if, from circumstances of notoriety, it should appear that, in the pending concerns of the world, some matters remain to be adjusted, and that every thing is not in its right place. If, by the next year, the mists which surround us shall be dissipated, if the political horizon shall be, on every side, clear and bright, if Ireland shall continue—as I am confident it will—to improve in its internal tranquillity, and in good feelings towards this country, I should, in the ensuing Session, expect no inconsiderable reduction in the amount of our public force. Whatever savings may be effected in all these branches of expenditure, or in any other, they will add so much to our relief. But, when the whole of the charge over which we can exercise any immediate control, is not more than 11,000,000*l.*, the further reduction which remains practicable, to be consistent with the public safety, and the efficiency of Government, cannot be very considerable. Indeed I much doubt whether, if we are to retain a reasonable surplus of revenue—I will not say upon the principle of a Sinking-fund, but as the necessary guard and provision against the effect of those fluctuations to which our public income is liable—any further absolute reduction of taxation can be anticipated, from the utmost amount of retrenchment that can be made, unless the produce of the remaining taxes should be very greatly increased, in consequence of the relief now to be given to the people. I will shortly state the grounds of this opinion. The Chancellor of the Exchequer estimates the surplus of the present year at about 2,600,000*l.* I will take for granted the data upon which this estimate was made. I hope my right hon. friend will not think that I am doing him a disservice, when I remark that he has understated the extent of relief which he is about to give to the country. He estimates it at 3,400,000*l.*: now the average nett payment into the Exchequer from the duties about to be taken off, for a period of the last five years, was 3,737,000*l.*; and as the barley crop failed in one of those years, 1827, I think it may be taken in round numbers at 3,750,000*l.*, leaving, consequently, a deficiency upon the estimated surplus of this year of 1,150,000*l.* Now, if the reduction of the four per cents, taken at 700,000*l.*, the new taxes proposed by my right hon. friend, estimated at 400,000*l.*, and the further savings to be made, should amount altogether to 2,000,000*l.*, our surplus would be rather less than 1,000,000*l.*, being an allowance of about two per cent, upon our income, to meet all the incidents and casualties to which it is liable. Assuming, then, that absolute abatement of taxation cannot, for the present at least, be carried further, the question which remains for consideration (and I can assure the House that I have anxiously turned it in my own mind in the interval since the Budget was made known to us) is, will the proposed remission be all that is requisite for the effectual and permanent relief of the country? I am sorry to say that I incline to think it will not. In the view which I take of our present difficulties, the main cause of them, in my opinion, as stated at the outset of what I have now addressed to the House, and which that I may not be misunderstood, in substance I repeat, is this—that in the distribution of the annual wealth of the country, taking it according to the ordinary and admitted division into rent, profits of stock, and wages of labour, the two latter, from a complication of concurrent circumstances, of which taxation is one, are now in the receipt of less than their just share. I may further state, that such a condition of society cannot long be continued, without its laying the foundation of national impoverishment. There is a short passage in Adam Smith's Wealth of Nations, which so forcibly points out the calamitous tendency of this condition of society, that I cannot forbear pressing it upon the serious attention of the House. "To complain," he says, "of the liberal reward of labour, is to lament over the necessary effect and cause of the greatest public prosperity. The condition of the labourer is hard in the stationary, and miserable in the declining state. The progressive state is in reality the cheerful and the hearty state to all the different orders of society. The stationary is dull—the declining melancholy."—If we are in danger of falling into this state of things, and if we cannot be adequately protected against the risk by any practical diminution in the positive amount of our burthens, may we not guard ourselves against it by some change in the principle and distribution of the remaining taxation? In approaching this part of the subject, I am aware that I am treading upon tender ground. I know that I shall not only meet with great difference of opinion, but that I shall expose myself, probably, to considerable clamour and obloquy. It is impossible to touch upon it without coming into collision with the interests (at least as the parties understand them) of many, and those, perhaps, the most powerful both in this House and in the country. But, Sir, when I am addressing you upon a subject of such deep importance, I feel myself bound by a sense of public duty, be the consequence to myself personally what it may, to state a strong doubt (I wish to put it no higher), whether we shall afford adequate relief, without removing a larger amount of those taxes which press directly upon income arising from capital engaged in industry, and upon the income of labour to which that capital gives employment;—transferring, as far as may be indispensable, the burthen upon all that class of income which arises from capital not so employed.

Sir, my gallant friend, the Member for Windsor, has called upon us to compare the habits of society, in the higher walks of life, with what they were fifty years ago. Like him, and with him, I have lived long enough to bear testimony to the change which has taken place. Let any man compare the Metropolis now with what it was at that period; not only its positive growth, but still more the extension of splendor in buildings, in furniture, in plate, in the habits of luxury, and in display of every description. Having mentioned plate, Sir, I may remark, as a striking evidence of this change, the difference of the amount of the duty upon that one article between the year 1804 and the last year. The rate of duty upon silver wrought plate in 1804 was 1*s.* 3*d.*, upon gold 16*s.* per ounce; it was afterwards raised to 1*s.* 6*d.* upon silver, and to 17*s.* upon gold. But what has been the increase in the nett produce of the duty? It has risen from less than 5,000*l.* in 1804, to upwards of 105,000*l.* in 1828; a rise of more than twenty-fold, notwithstanding the greatly diminished supply from the mines, and the consequent increasing value of the precious metals. It may be further remarked, that this augmented consumption shows how large a portion of gold and silver is annually diverted from the purposes of coin to those of ornament and luxury. Have the articles most necessary to the scanty comfort of the humble dwellings of the labouring classes been multiplied in the same proportion? I am afraid that, in too many cases, an inverse ratio would rather be the correct answer. Look at the earnings and condition of that population which raises the produce of the soil, or from early dawn till midnight throws the shuttle, for bare subsistence, and compare them with those of the artisans who minister to all the various enjoyments and gratifications of wealth in this great town. Contrast the hourly dealings for millions, at that great mart of money, the Stock Exchange, with the stinted transactions and falling off of our country markets. In London the bankers, the monied men of all descriptions, complain of the glut of money. We hear of seven or eight millions deposited, for want of employment, in the Bank of England alone. Ingenuity is incessantly at work in devising new and tempting speculations, to call forth these locked-up capitals, of which too large a portion has already been thrown away upon rash and gambling speculations, or placed at hazard upon the precarious security of foreign loans. In the country, you hear of nothing but the bewailings of industry, and the want of money, confidence, and credit. The country banker reluctant to make advances, and the prudent man, who is still solvent, cautious and tardy in applying for them, because productive speculation, however carefully conducted, holds out too little prospect of gain to compensate for the risk of loss, with which, more or less, it must always be attended. It is notorious to all who know what is passing in the different counties of the kingdom, that country banks,—in better times those salutary reservoirs for the alternate deposit and distribution of circulating wealth, through all the ramifications of active industry—now send that wealth up to town, to be lent for short periods upon stock, and other floating securities upon the Stock Exchange. This system is, perhaps, safe for themselves, but, at best, of very doubtful benefit to the public; affording, for aught I know, to a few individuals increased facilities for gigantic speculations; swelling still further the already overgrown fortunes of some, but bringing misery and ruin upon others; and diverting the thoughts and aspirations of all who come within its vortex, from the sober and steady courses of their forefathers, to pursuits as little conducive, I believe, to individual happiness and moral worth, as they certainly are to the growth of wealth in the country; pursuits which, were they multiplied even an hundred-fold, could never add the value of one pepper-corn to our national resources, whilst all the classes, from whom alone wealth can really flow, are labouring under difficulties, and complaining of distress. In considering the effects of our present taxation upon the productive industry of the country, we must constantly bear in mind the necessary consequences of a state of peace, and of a free competition of the industry of other countries with that of our own, in the general markets of the world. These consequences, as it has been already so well stated in this debate, are, first,—that we cannot obtain for our commodities a better price than that at which, in this race of competition, the like commodities can be raised, produced, and brought to market, by other countries; and, secondly,—that the price at which we can sell abroad must determine the price in the home market. Now, Sir, let us follow out these admitted axioms in all their necessary and legitimate bearings and results. It will not be denied that a spirit of improvement, an anxious desire to promote industry, zeal for the diffusion of knowledge in all pursuits connected with mechanical and chemical science, and in the beneficial application of them to the useful purposes of life, are now the pervading feelings, not only of every people, but of nearly every government, in the civilized world. Neither can it be denied that, in several countries, a greater degree of freedom in their institutions, and a greater security for property, have, under the uninterrupted enjoyment of peace, promoted the growth of capital, and the other facilities which are necessary to manufacturing and commercial enterprise. This is the rivalry, every day growing more formidable, with which our capital and industry and skill have to contend. If we meet it under some advantages, we have also great and growing disadvantages to encounter. Do not let us lose sight of the fearful consequences which must ensue, if we are distanced in the race. The greatest of all follies, on such an occasion, would be to shut our eyes to difficulties which, taken in time, we may, perhaps, overcome, but which, by procrastination, we cannot evade. For a long time we have been the greatest manufacturing and trading nation in the world. We export for sale abroad, in a manufactured state, more or less of almost every thing which we raise or produce. Of the raw materials of our soil the export is next to nothing. They are barely adequate, indeed I might say inadequate, to the subsistence of our population. Upon an average of years, we cannot do without a supply of foreign corn; and of cheese, butter, and other articles we have a large annual importation. Our Corn-laws, however expedient to prevent other evils, in the present state of the country, are in themselves a burthen and a restraint upon its manufacturing and commercial industry. Whilst the products of that industry must descend to the level of the general market of the world, the producers, so far as food is concerned, are debarred from that level. If the price of subsistence,—that is, the price of those particular articles which we never export, and are frequently compelled to import—be materially dearer here than anywhere else, that dearness cannot be shifted to the articles which we do export. It must fall in the way of deduction, either upon the wages and comforts of the labourer, or upon the profits of those who afford him employment. Here, then, is one inevitable cause, constantly operating to keep alive a struggle between productive capital and productive labour, with a constant tendency to bring both to a lower level:—because the disadvantage, under which they have to contend, arising from a difference in the price of the necessaries of life, is increased in proportion as the progressive improvement of rival nations approximates their manufacturing skill and industry more nearly to our own. Are not, then, the circumstances, which enhance the price of subsistence in this country, a strong reason why we should endeavour to lighten, as much as possible, other burthens which, by their direct operation, tend to aggravate this disadvantage? See, to what an extent your Excise and Customs prove that you do not sufficiently attend to this consideration! Full three-fourths of your revenue are levied under these two heads; and by far the greatest proportion of that amount upon articles necessary, either for the subsistence, the clothing, or the humble comforts of the labourer; or of use in the fabrication of those articles to which his industry is devoted. Let any man look through the list of the Excise and Customs, even now that the Beer and Leather Taxes are removed, and he will find in how great a degree this observation still applies. Candles, hops, licences, malt, printed goods, soap, British spirits, tea, sugar, tobacco, rum, hemp, timber:—here is an enumeration amounting to near 30,000,000*l.*; but the incidental burthen of which, in restraint, impediment, and vexatious interference, may well be estimated at 10,000,000*l.* more. These are the consequences of monopoly in some cases, as tea for instance, and of the charge of collection, regulation, drawbacks, and such like interference in others. They are, perhaps, unavoidable under the complication of a system, which can only guard against fraud and evasion in the collection of the revenue, by impeding the development of industry, and sacrificing the improvements of science. It is a common remark, that the rich man does not require more food than his poorer neighbour; the difference between them must be in the quality. But, in many of the articles which I have enumerated, the consumption of the rich is less than that of the poor man. In others, his consumption may be greater, but in an amount altogether disproportioned to their relative means. The proportion, however, in this respect, is not so much the question now, as the different mode in which this system of taxation falls upon realised wealth, and upon productive industry. Every man's observation must satisfy him of the general truth of these remarks. It can scarcely be necessary that I should illustrate them in detail. In proportion as prices and wages have fallen, has this class of taxes become not only more burthensome, but more vexatious, and more liable to evasion. Take for instance soap; the duty during the war might be about 70 per cent upon the raw materials; it is now from 120 to 140 per cent. If wages have fallen in the same proportion, how much heavier does this tax now press upon the labourer, and how much greater must be the temptation to resort to any means by which the duty may be avoided? If we advert to sugar, we shall find that the duty, which was formerly one half of, now exceeds the selling price. Looking to this article, upon which there has been no reduction of duty since the war, and considering the severe and general distress in which all West-India interests are involved, I cannot but regret that a reduction of the sugar duty seems now to be indefinitely postponed. As a measure of relief it is urgent. I still retain the opinion, which I have more than once pressed upon his Majesty's Government, that this relief might be given, without any great or permanent sacrifice of revenue. It is not to sugar only that this observation would apply. A general revision would point out many other articles, but the subject is one too extensive and too minute for the present occasion. The more general considerations, to which I now claim the attention of the House, are these: first, that no other country in Europe has so large a proportion of its taxation bearing directly upon the incomes of labour and productive capital:—secondly, that in no other country, of the same extent, I think I might say in none of five times the extent of this kingdom, is there so large a mass of income, belonging to those classes who do not directly employ it in bringing forth the produce of labour: thirdly, that no other country has so large a proportion of its taxation mortgaged;—in proportion to the amount of that mortgage are we interested in any measure which, without injustice to the mortgagee, would tend to lessen the absolute burthen of the mortgage:—fourthly, that from no other country in the world does so large a proportion of the class not engaged in production (including many of the wealthy) spend their incomes in foreign parts. I know I may be told, that, by taxing that income, you run the risk of driving them to withdraw their capital altogether. My answer is, first, that ninety-nine out of an hundred of these absentees have no such command over the source of their income;—secondly, that the danger is now of another and more alarming description,—that of the productive capitals of this country being transferred to other countries, where they would be secure of a more profitable return. The relief of industry is the remedy against that danger. One of the objections made to any direct tax upon income, even limited, as I have described, to capital not directly employed in the pursuits of industry, is, that it may be very fit as a war measure, but that it is not suited to a state of peace. My answer is, that this proposition is too general:—what may be very well adapted to a state of peace or war under given circumstances may become inexpedient when the bearing of those circumstances is altogether changed. In war, the wages of labour and the profits of capital may be high. In peace, they may be greatly depressed. In the former supposition, taxes bearing upon industry will be more lightly felt; in the latter, their pressure will be very severe; and, if not alleviated, will daily become more so, by exhausting the very springs of that industry from which they are derived. Let Gentlemen seriously weigh in their own minds, whether this be not the risk against which it is most urgent to provide. I have already shown, upon higher authority than my own (that of the Chancellor of the Exchequer), that the amount remitted by a change in our taxation, would be a very inadequate measure of the real saving, and contingent relief, to industry; whilst, on the other hand, the produce of the tax to be substituted would be commensurate with what it might subtract from the incomes of the classes by which it would be paid. The landlord, the fundholder, the mortgagee, the annuitant of every description, would moreover be directly benefited, to the extent of his consumption of the articles upon which the present taxes might be reduced or abolished. Each would be indirectly benefited by the stimulus and additional ease which would be given to the industrious classes. Take, for instance, the landowner. Can any man doubt, that, in proportion to the relief afforded, would be the means and desire of the industrious classes to consume more of all the productions of the soil, which constitute their habitual comforts and luxuries:—more meat, more malt, more cheese, more butter, and more of all the other articles which cannot be said to be of absolute and primary necessity? Can any man doubt, that the consumption of these articles is now checked, if not actually diminished, by the straitened circumstances of our labouring population? Should their condition become still harder,—and, in order to maintain our competition in the foreign market, I fear that, without the relief which I have suggested it must,—is it not obvious that the consumption of these articles, and, with the consumption, the price, must decline? Should this be the unfortunate career in which we are proceeding, we may have gleams of sunshine, but their transient brightness will not be sufficient to disperse the thickening gloom which will be gathering round us, and in which all interests and all classes will be finally enveloped. For the contentment of the poor man, for the comfort of the middling classes, for the enjoyment of the rich, for the security of all, it becomes the paramount duty of those, to whom the welfare and happiness of the country are committed, well to probe the sources of our present difficulties; and if they are satisfied that they are produced, in any considerable degree, by the causes to which I have adverted, not to be tardy or timid in applying the remedy. If I have dwelt upon these subjects at a greater length than I had intended, I have done so because I have thought it my duty, as an unconnected Member of Parliament, not to shrink from stating my views respecting them. The position of a Minister in this House is very different from that of an individual. I know how difficult a thing it might be for Government, even if they concur in my views, to carry them into effect; and I am fully aware of all the inconvenience which would arise from their at all hinting at that concurrence, unless they were prepared to act upon it. All I can say is, that ours is a choice of difficulties, and that the course which I have suggested would, I sincerely believe, be most beneficial to the country. If these views are not entertained by others in this House, or sanctioned by public opinion out of doors, it would be vain to expect that they should lead, at present, to any practical result. But if, at any future day, a sense of the public interest should induce his Majesty's Government to act upon them, I shall be prepared to give my most cordial assistance and support towards overcoming the various difficulties, which I am fully sensible must arise in carrying those views into effect, and towards conciliating the feelings of all who might continue adverse to their adoption. In the course of this debate, allusion has frequently been made to possible improvements in the banking-system, as one means of affording some relief to the country: and I understood my right hon. friend, the President of the Board of Trade, to say, that he expected much benefit from a revision of the system of country banks, and from giving publicity to their proceedings. I am friendly to publicity. But if it be required from banking establishments in the country, I trust that the same rule will be applied to the bank of the State—the Bank of England. Had that system of publicity, of which my right hon. friend is the advocate, prevailed between 1824 and 1826, it would, in my opinion, have guarded us from the risk of such a calamity as that which was upon the point of taking place at a period of profound peace, towards the close of the year 1825. Far be it from me, in making this observation, to cast any reflection upon the Directors of the Bank of England. I know that they are zealous and disinterested in the management of the great trust reposed in them. But it is their duty in that management to look to the interests of the body of proprietors whom they represent. It is the duty of this House, on the other hand, if they think fit to grant a monopoly, to surround and fence it with such regulations as may prevent the public interests from being prejudiced by being placed in collision with the interests of those upon whom the monopoly is conferred. The first of all our cares, in revising the banking-system of the country, must be to satisfy ourselves that nothing is omitted, in the way of precaution, which may tend to secure the public against a possible recurrence of that greatest of all calamities, another suspension of cash payments. I cannot pass over even this opportunity of repeating my doubts, whether the affairs of the Bank are conducted with a sufficient regard to this paramount object. With their original capital all locked up upon loan to Government, they have, at the same time, nearly the whole of their outstanding credit resting upon securities equally unavailable. The sound system of banking, on the contrary, would appear to require that the amount of their issues should be more immediately within their command, as the only certain protection,—for themselves, against those emergencies that will occur, even in time of peace,—for the public, against a recurrence of the dreadful effects of such a panic as that of 1825. There is no saying how soon, should trade revive with more than its usual activity, we may again witness another season of excitement, and extravagant speculation. Should an unfavourable state of the foreign exchanges be the consequence, their turning against us would, for a time, rather encourage than repress that spirit of speculation. The salutary check, under such a contingency, can only be applied by the prudence of the Bank of England. But how is that check to be called into action, without the risk of panic, if both the capital and credit of the Bank are locked up in Dead Weight, in Exchequer-bills, in mortgages upon land, in an advance to the rebuilding of London Bridge?—all of them, I admit, assets most perfectly solid and secure, but all of that inconvertible description, upon which no banking establishment, I think, having the whole of its outstanding engagements payable upon demand, ought to rest so large a portion of its liabilities. This, however, is a fit subject for a separate investigation, and into which, therefore, I will not go more at large on the present occasion. I have detained the House, I am aware, longer than any Member having no official duties to discharge, can be justified in claiming their attention. My apology must be, in part, that I have had to defend measures, for which I am more immediately responsible, as having brought them forward when I was in office; and, partly, that I have thought this a fit occasion for stating the views which I entertain of the present condition of the country. I cordially thank the House for the indulgence with which they have heard me upon these important topics. After all, do what we will, say what we may, the immense sacrifices and unparalleled exertions of the last long war must tell, in abridging the comforts, and adding to the difficulties, of the present generation. Fifteen years have now elapsed since that war was brought to a 'glorious termination. From its commencement I have been more or less in public life. In the course of it, there is scarcely a conceivable trial of fortitude to which the country, and those who administered its affairs, were not exposed. Mutiny in our fleets,—civil war in Ireland,—the stoppage of the Bank,—defection of our allies,—the overthrow and subjugation of all the great powers of Europe by the enemy to which we were opposed,—our commerce placed under an interdict in every part of the civilized world,—these are some of the evils of which, having witnessed the first overwhelming shock, I shall retain through life a vivid recollection. But, amid all the scenes of alarm and despondency, I might almost say despair, occasioned by this succession of calamities, I tax my memory in vain for one single act of weakness or dishonour, of spoliation or bad faith. Never did such expedients suggest themselves to those great and firm minds that then presided over the destinies of the country. If in vain I tax my memory for one act of that description, upon which any man, the most envious of my country's fame, can put his finger and say, "this is a blot in your annals," give me leave to add, that should you, in an evil hour, venture to debase your currency, you will commit an act of fraud at which that finger of scorn will point for ever after, as the hour of your shame and humiliation; and that the period will not then be distant in which you will deeply repent, but repent too late, the irretrievable consequences of so ruinous a proceeding. For myself, I once more enter my protest against such an infringement of the national faith. I cannot vote either in support of the original Motion, or of the amendment. Taken abstractedly, they both embrace too wide a field for any useful inquiry. But my greater objection is, that I cannot separate the wish for inquiry, from the grounds upon which that wish stands recommended to the House, by almost every Member who has supported it. Again, to the form of the inquiry, as recommended in the original Motion, I have an insuperable objection. In the mode recommended by the amendment I might have concurred, had it been brought forward upon different grounds, and been more limited in its objects. From inquiries of this latter nature I expect much benefit; and his Majesty's Government do not appear to be adverse to them. They have already consented to grant a committee to inquire into the condition of the poor in Ireland. The Chancellor of the Exchequer has given notice of his intention to bring in a bill to regulate the Dead Weight system; and has said that he shall have no objection to refer that bill, together with the whole subject, to a committee up stairs. My hon. friend, the Member for Dover, has a notice on the Order-book, for a select committee to investigate the effect of the present system of our taxation upon the productive classes of the country. Whether the proposed committee will be granted or not, I cannot tell; but this I know, that whenever my hon. friend shall bring forward his Motion, he shall have my warmest support. We have already a committee sitting to inquire into the affairs of the East-India Company, and into their monopoly of the trade with China. In like manner, I hope we shall have a committee to inquire into the Banking-system of the country, in connection with the renewal of the charter of the Bank of England. It is by inquiries thus limited to specific objects that we shall arrive at more satisfactory results than by going into a committee purporting to be for an inquiry into the causes of distress generally,—a species of inquiry, which, in my judgment, could not possibly lead to any good, but which, in the expectation of its promoters, might lead to what I consider the greatest possible evil,—the unsettling and disturbing the present monetary system of the country.

Lord *Althorp* rose amid loud and general cries of "Adjourn." After some difficulty the Speaker obtained order, and the noble Lord proceeded. He should have felt great difficulty in rising after the very able and eloquent speech of the right hon. Member for Liverpool, had he entertained any intention of following him throughout its various topics. But he had no such intention, for he nearly concurred in every syllable that the right hon. Gentleman had said. It had been stated by the hon. Member for Wootton Bassett, (Sir G. Phillips) that all the hands in the manufacturing districts were at present in employment, and in employment, too, at good wages. Now, if that were the case, it was quite impossible to believe that any distress existed in that quarter. He was afraid, however, from the general body of information which had been poured into the House from those districts, that the statement of the hon. Member was much too favourable. He believed, however, that it must be admitted that some improvement had commenced to exhibit itself in the country. He hoped that it would long continue; but he must say that his hopes were not very sanguine, as he recollected that there had been before several symptoms of improvement, which had subsequently disappeared. He was therefore obliged to assume, for the purpose of argument, that there was great distress in the country; and then the question came to this—"Are the modes now proposed to us the best modes for obviating that distress?" or "Are we obliged to admit them to be such, in order to show that we have some sympathy for the people?" Now, for his own part, he had no hesitation in avowing that he had such confidence in the good sense of the people of England as to be convinced that they would not accuse their representatives of a want of sympathy with their feelings if it were made evident to them that the mode proposed for their relief was ultimately the best for their interests. Most, indeed all the speakers in this debate had declared the state of the currency of the country to be their main reason for seeking to go into a committee. They had said that the want of the 1*l.* notes was the cause of the distress. But if they were to enter into the discussion of that subject in the committee, it was necessary to see how the issue of 1*l.* notes at present would operate on the existing distress. It could only operate by raising the price of commodities, and depreciating the standard of value. Then the exchanges would turn against us, and a re-action, like that which was witnessed in the year 1825, would take place, unless we were prepared, which he hoped we were not, to tamper with the standard. Any measure which had the slightest appearance of tampering with the standard in a rich and commercial country like this was fraught with imminent danger. It was said, "Oh! but you will only make one alteration!" If they made one alteration, how could the public trust that they would not make another, and another even upon that, when another period of distress should come to pinch them? But it was said that such an alteration had been made before, in the year 1797. He admitted it; but all who had observed the conduct of the legislature in that year must be aware that the alteration then made in the standard was not foreseen—it was therefore unintentional. If the House made such an alteration now, it would be made knowingly and intentionally, and would therefore be a downright fraud. After the commission of an intentional fraud, they would have no right to expect any longer the confidence of the public. If they went into the committee for the express purpose of inquiring into the state of the currency, the country would expect that a change in the currency would be the inevitable consequence. Confidence would be immediately destroyed, and a confusion would arise worse than any thing which the country had hitherto witnessed. He could not separate this motion from the question of currency, and he should therefore give it his opposition. It had not yet been explained what good this committee could produce; it might produce great evil; and therefore, though he was anxious to relieve the people from the burthens under which they laboured, he still felt it impossible to vote in favour of this committee. Besides, a motion to inquire into the state of the nation had generally been considered as a motion of hostility against the Government. He had brought forward and supported several motions of that nature on former occasions from such motives; but he felt that he could not support this Motion with any such hostile views. Towards the present Ministers he entertained no feelings of hostility; their conduct deserved no such attack as this Motion made upon them. He differed from them as to the amount of taxation and expenditure which it was possible to reduce; he thought that they might have gone further than they had done in those respects; but he saw no insincerity, nor any thing like insincerity, in what they had done. They had endeavoured to cut off a large amount of expenditure by casting a great mass of additional labour upon themselves. With regard to the taxes which they had taken off, he thought that they had acted wisely in the selection which they had made. They had also acted with great disinterestedness, for if they had sought to conciliate a powerful party in that House, they would have taken off the duty on malt and also upon sugar, by which they would have obtained the support of two distinct and powerful interests. Seeing no reason to think that the Ministers were insincere in their professions of economy, though he did not think that they carried their retrenchments and reductions far enough, he could not vote in support of a motion which was always based in a feeling of hostility towards the existing Administration.

Colonel *Sibthorp* moved the adjournment of the debate to the next day.

[Considerable confusion ensued and prevailed for some minutes in the House. During the continuance of it, we saw Mr. Attwood and Mr. Alderman Waithman on their legs; but their words were completely drowned in the general turmoil.]

Mr. *Peel* at length obtained a hearing. He said that if there were several Gentlemen still anxious to address the House on this subject, he should be the last man in the world to throw any obstruction in their way. The cries of "Adjourn" drowned the remainder of the right hon. Gentleman's observations.

The Question on the adjournment to the following day was then put and carried.

HOUSE OF LORDS.

Friday, March 19.

Minutes.] The Royal Assent was given by Commission to the Exchequer Bills' Bill, the Transfer in Aids' Bill, and the Paupers' Removal Bill. Commissioners—the Lord Chancellor, and Lords Roslyn and Shaftesbury.

The Mutiny Bills, and the Pensions and Duties Bills were read a third time and passed.

Petitions presented. Praying for the abolition of the system of Paying Wages in Goods, by Viscount Goderich, from places in the county of Worcester and Staffordshire:—By Earl Bathurst, from Wotton-under-Edge. For the repeal of the Leather Tax, by Viscount Goderich, from the Tanners of Belfast and of the city of Dublin. For the Opening of the Trade to India, by Viscount Goderich, from the inhabitants of Beverly:—By Earl Fitzwilliam, from Thome. For Relief; and complaining of Distress, by the Duke of Richmond, from Boston in Lincolnshire: By Lord Vernon, from Eynsford, Norfolk:—by the Earl of Darnley, from the Operatives of the Cotton trade of Dublin:—By the Earl of Carnarvon, from the Grocers and Tea Dealers of Bath and Wells—Complaining also of the Hawkers of tea;—Against the Duty on Hops, by Viscount Goderich from Ticehurst, Sussex.—And praying for the regulation of labourers' wages, by Lord Teynham, from the King's Head Society, for the Encouragement of Industry.

Legal Amendments.] The Lord *Chancellor* said, he rose, pursuant to the notice he had given, to move the second reading of three Bills, the object and nature of which he would endeavour to explain very shortly to their Lordships. The first was entitled "a Bill for altering and amending the law regarding Commitments by Courts of Equity for Contempts, and the taking bills *pro confesso*." This Bill had been brought into the other House of Parliament by the Solicitor General, who had bestowed great pains and much time upon the subject, and who was entitled to the thanks and the praise of the country for the zeal and spirit which had characterized his exertions. The effect of this Bill he would shortly explain to their Lordships. If a party refused to appear, the Court of Chancery, under the present system, could only order that the party should be committed to prison. From prison the party was brought up to the Bar of the Court, and ordered to enter an appearance; but if the party still refused, then the Court would enter the appearance for him. It was proposed by this Bill, that if the party did not appear within the usual time, the Court should, upon such default, enter an appearance for him at once, instead of waiting for the commitment of the party to prison and his being brought up to the Bar of the Court. Again, if a party refused to put in an answer, all the Court could do, under the present system, was to commit the party to prison. But in the case of persons having privilege of Parliament, and refusing to answer, the bill was taken against them *pro confesso*. This could not be done against persons who had not the privilege of Parliament, and it was proposed therefore by this Bill, to place all persons, whether having privilege of Parliament or not, in the same situation in this respect. Henceforth, therefore, in the event of any person refusing to answer, the bill would be taken against him *pro confesso*, and such bill might be read in evidence against him in any other proceeding, which was the case now when the person refusing to answer had privilege of Parliament. It had not unfrequently happened that persons committed to prison by the Court of Chancery for contempt had remained in confinement for many years; not, in all cases because they were obstinate, but in too many merely because they were ignorant. Some had been known to remain in confinement for fifteen years, some for twenty, some for twenty-five, and some even for as long a time as thirty years. This had happened because no one had troubled themselves about the prisoners, it being no one's duty to look after them, and they had been ignorant of the mode by which they might obtain their release. To guard against the recurrence of such cases, this Bill required that there should be a regular and established visitation of persons imprisoned by order of the Court of Chancery, by officers regularly appointed for that purpose, who would inquire into the cases of the prisoners, examine the prisoners themselves, and make a report thereupon to the Court, in order that the necessary steps might be taken for the discharge of the prisoners from confinement. Their Lordships would see the necessity of this when they were informed that the Solicitor General, in the prosecution of his inquiry, found many prisoners of the Court in a state of complete ignorance of the cause of their confinement. In some cases, however, it was the obstinacy of the prisoner that caused and prolonged his confinement. The Court of Chancery frequently ordered an act to be done, such as a deed to be signed, a fine to be levied, a recovery to be suffered, and so forth. If obedience to such orders were refused, the Court could do no more than commit the party to prison. If the party still refused obedience, and remained obstinate, the Court could only retain him in prison; but, in the mean time, the act still remained undone. The Chancery Commission had taken such cases into consideration, and had recommended that acts thus ordered to be done should be considered as done notwithstanding the refusal of the party. This Bill, therefore, contained a clause which carried this recommendation into effect in such cases. The Chancery Commission had also recommended a mode by which the process now followed in such cases might be shortened. At present, the process would be this: a party would be committed to prison for refusing to obey the order of the Court. Then, in the first place, he would be brought into Court by writ of *habeas corpus,* where he would be told what he was to do, and if he refused, he would be remanded to prison. The second time he would be brought up by an *alias habeas corpus,* and the same scene would be performed if he persisted in his refusal. The third time he would be brought up by a writ which was called a *pluries alias habeas corpus;* and, after the same forms had been gone through, he would be again remanded to prison if he continued obstinate. The last time he would be brought up by a writ which was called an *alias pluries alias habeas corpus;* and then that which was required would be taken against him *pro confesso,* though he might still persist in his refusal. Now, though the Court of Chancery had made several orders with a view of amending the practice of the Court, yet it was generally understood, that the Court had not the power, by means of issuing orders, to shorten this process, or to carry into effect several other improvements. He had, therefore, intended to effect these objects by means of a legislative enactment; but their Lordships would recollect, that circumstances had occurred which rendered it necessary that that measure should be laid aside. One of the provisions of the Bill he held in his hand curtailed the process to which he alluded; and the Bill also contained other clauses which it was hoped would be found beneficial to suitors in equity. The Bill had been drawn with great care by the Solicitor General, and he had no doubt that their Lordships would approve of its provisions when they came to be examined in committee. He would not then detain their Lordships with any farther observations on this first Bill. The second Bill to which he had to call their attention was entitled "A Bill for consolidating and amending the laws relating to Property belonging to Infants, *femmes couvertes,* Idiots, Lunatics, and persons of unsound mind." It had been considered wise to bring together in one Act all the laws relating to property belonging to these several classes, which were now scattered throughout the Statute-book, having been made at various times, and as cases occurred, which manifested that the law required to be altered, to be amended, or to be modified. This Bill, therefore, consolidated all the former statutes on the subject; but, at the same time, it contained some new suggestions, which their Lordships, he thought, would agree had not been improperly termed amendments. Among these was a clause which enabled lunatics to be admitted to copyholds. As the law now stood, infants and *femmes couvertes* might be admitted to copyholds, but lunatics might not. Another amendment of the law effected by the Bill was this:—At present, there was no power by which an infant could surrender or grant leases, though manifestly for the improvement of the infant's property. When the infant happened to be a ward of the Court, it was extremely necessary that this power should not be wanting. By this Bill the power was conferred; but at the same time, it was provided that the exercise of that power should not be injurious to the infant. Thus it was provided that no fines should be taken, and that the whole rent should be reserved. Again, with respect to the completion of conveyances, in cases where a person had agreed to convey, and became lunatic before he had performed this contract, the law was amended by this Bill. Under the present law, the Court would compel the vendee to pay the purchase-money into Court, but it had no power to order the conveyance to be made, and the estate, therefore, still remained in the lunatic. In such a case, the Court was empowered by this Bill to enable the committee of the lunatic to make the conveyance. So also the Bill conferred on the Lord Chancellor the power which he did not at present possess, of compelling the transfer of stock by the committee of a lunatic. As there were some statutes relating to these matters which did not apply to Ireland, though they did to England; and others, again, which were in force in Ireland, but not in this country; it was proposed by this Bill to assimilate the law in the two countries. The third and last Bill upon which he had to trouble their Lordships with any observations was entitled "A Bill for amending the laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees and Mortgagees, and for enabling Courts of Equity to give effect to their Decrees and Orders in certain cases." Under the present law, if a person were to sell an estate, and die before he had made the conveyance of it to the purchaser, the heir of the deceased, if of full age, was bound to complete the conveyance; but if the heir happened to be an infant, the Court had no power to order the conveyance to be made until the heir came to be of age. It had been thought proper, therefore, by his predecessor in office, that the law should be amended in this respect, and that noble and learned Lord had suggested to the Solicitor General that a measure should be submitted to Parliament for that purpose. The Bill he held in his hand gave the Court the power of ordering a conveyance from an infant heir in the same way as it now compelled the heir of full age to convey. At present, too, if the trustees of estates were to die, or if it became necessary, for other reasons, to appoint new trustees, recourse must be had to a Bill in Chancery. Now every noble Lord who knew what a Bill in Chancery was, would agree that it was rather an alarming affair. At least, people generally thought it was. By the present practice of the Court, many measures might be performed by petition, instead of by bill, and it was proposed by the Bill he held in his hand, that trustees might be changed, and new ones appointed, upon application to the Court by petition. With respect to the trustees of charitable estates, there was frequently the greatest possible difficulty in discovering them, because the heir at law of the last surviving trustee represented the estate. Now, as trustees of charitable estates were merely formal persons appointed by the Court, it had been thought advisable, that if the heir at law of the last surviving trustee could not be discovered, the Court should appoint new trustees. Under this Bill the appointment of new trustees would take place if the heir at law of the last surviving trustee did not appear within a certain period after he had been called upon by public advertisement. Such were the principal provisions of the third Bill. Their Lordships would observe that many of the provisions of the second and third Bills related to the same subject, and might, therefore, have been included in one Act; but it was thought, by many learned persons, that it would be more convenient to divide them, as the Solicitor General had, into two separate statutes. He would not detain their Lordships any longer at present. He thought that he had sufficiently explained the general outline, scope, and object of these measures: and if any noble Lord wished for information respecting the details of the Bills, that would be more conveniently obtained in the committee, when the details would come regularly under discussion. He had then only to move, that the Bills be read a second time.

The Earl of *Malmesbury* thanked the noble and learned Lord for the very lucid illustration he had given them of the subjects comprehended in these Bills, which he must be allowed to observe came from a most respectable and satisfactory quarter. He thought that legal amendments could be in no safer hands. He now rose merely to ask a question of the noble and learned Lord. A clause in the second Bill enabled the trustees and guardians of an infant to grant leases: and he begged to know if this clause would extend so far as to enable them to grant a lease of the family mansion, and of the domain belonging to it, for twenty-one years. If it would, such a lease might be made when the infant was nineteen years old, and so a man might be forty years of age before he could inhabit his own mansion.

The *Lord Chancellor* said, that the general terms of the clause would include such a case; but the noble Earl would recollect, that no lease could be made by a guardian or trustee, without application to the Court of Chancery; and it would be supposing the height of indiscretion in that Court to imagine that it would ever sanction any lease of the family mansion for a term beyond the coming of age of the heir. The object of the clause was to allow the estate to be improved during the minority of the heir, and it had the benefit of the heir and of no one else in view.

The Earl of *Malmesbury* was fully sensible of the advantages of the clause; but as the noble and learned Lord seemed to think that the extreme case he had supposed might be included in it, he thought there would be no harm in specially excepting the family mansion and the domain belonging to it. He would move, therefore, in the Committee, that no lease, for a longer time than that at which the heir would be of age, should be granted of the family mansion and the domain belonging to it.

Bills read a second time.

HOUSE OF COMMONS.

Friday, March 19.

MINUTES.] Lord ELLENBOROUGH's Divorce Bill was, on the Motion of Sir G. CLERK, read a first time. The Indemnity Bill was read a second time.

Returns presented;—Of the parishes in Ireland which have entered into an agreement under the Tythe Composition Act:—The rate of pay and allowances to Officers and Men in the Navy; and in the Civil Service of the Navy since 1792:—The number of Masters and Surgeons of the Navy in each year since 1826; and copies of the correspondence between the Irish Government and the Officers of certain Charitable Establishments in Ireland, with reference to the Irish Estimates for 1829.

Returns Ordered;—On the Motion of Mr. O'CONNELL, of the Fees received by the Commissioners of Bankrupts during the last three years, with sundry Accounts connected therewith:—On the Motion of Mr. WODEHOUSE, of all the Flour, Coal, Culm, with an account of all the vessels that have entered the Port of South Wold annually, during the last twenty years.—And on the Motion of Mr. SPRING RICE, of all Spirits in the possession of the Distillers of the United Kingdom, on March 15th, 1830.

Petitions presented;—Complaining of Distress, by Mr. WM. DUNCOMBE, from the inhabitants of the neighbourhood of Holderness. Praying for a Legislative Measure to check Horse Stealing, by Mr. BRANSBY COOPER, from Gloucester. By Lord ALTHORP, from the parish of Wellingborough, in Northamptonshire, against Capital Punishments.

[He concurred with the Petitioners in thinking that severe punishments were ineffectual, when they went against the feelings of society; in such a state of things severe punishments encouraged crime.]

By Mr. O'CONNELL, from the Rev. Thomas Smith, of London, complaining that the Petitioner had been a Clergyman of the Established Church for seventeen years, and yet was without any ecclesiastical preferment, and praying that greater facilities might be given for the erection of Churches. By Lord EUSTON, from Bury St. Edmund's, praying for a Revision of the Criminal Law. By Sir M. W. RIDLEY, from Richard Trevithick, stating that he had invented Machinery for transferring Coals from Ships into Barges, by which a saving of 3*s.* a chaldron might be effected, and praying that he might be enabled to bring his invention into general use. Praying for the Abolition of the East-India Company's Charter—by Mr. SYKES, from the inhabitants of Kingston-upon-Hull, and from the Brotherhood of the Trinity House of Kingston-upon-Hull:—By Mr. WOLRYCHE WHITMORE, from Heckmondwike:—By Sir A. CAMPBELL, from the weavers of Glasgow:—By Mr. BULLER, from Idle, in the county of York.

DUTY ON MALT.—BEER TRADE.] Mr. *Carter* presented a Petition from Portsmouth and Portsea, against the opening of the Trade in Beer.

The Marquis of *Chandos* presented a Petition from owners and occupiers of land of a hundred in the county of Buckingham, praying for a reduction of the Duty on Malt. The noble Lord expressed himself pleased with the reduction of the Duties on Beer; but still he must say, that unless the tax on Malt were also repealed, the farmer would not get that relief which his condition required. If the Malt duty had been taken off instead of the Beer tax, the advantage to the community would have been greater. He hoped that a motion which stood on the Orders on this subject would be pressed; and that if Ministers were not prepared to repeal this tax this year, they would announce their intention of doing so next year.

Mr. *Heathcote* contended, that the repeal of the Duties on Beer would give relief to the poor; and that, with the abolition of the present licensing system, would do away with the monopoly of the brewers, who had not reduced the price of Beer though the duty on and price of barley had been nearly double their present amount. The reduction of duty since the peace had been from 4*s.* 6*d.* to 2*s.* 6*d.*, and barley had fallen from 65*s.* to 25*s.* the quarter; but the diminution in the price of Beer was next to nothing. The wholesale article, or rather the raw materials, were cheap, while the retail article was both dear and bad. As a remedy for this, he recommended the abolition of the Beer monopoly, which would probably allow some of the advantages of the reduction of taxation to be reaped by the poor, and not be wholly engrossed by the great brewers. If the Malt tax were repealed, he believed that they would benefit by that more than the people.

Mr. *C. Calvert* said, he was satisfied that the reduction of the duty on Beer would do much good, but he could not concur in what had been said with respect to the Licensing System. He was sure that the consumption of Beer would not be increased 100 barrels from one end of the kingdom to the other, by throwing open the trade, but it would have the certain effect of ruining thousands of industrious persons who had vested their property in public-houses. A more industrious and deserving class did not exist,and it was too bad that they were all to be knocked on the head, and their prosperity ruined, by a measure of very doubtful benefit to the rest of the community. He wished to see the effect of the reduction of the duty on Beer tried for two or three years before the trade was thrown completely open. If at the end of that time the expected advantages of abolishing the Beer tax were not realized, the trade might be thrown open; at present that would have no other effect than to ruin thousands of industrious families.

To be printed, as was a similar Petition, presented by the noble Lord, from another hundred of the county of Buckingham.

Lord *Eastnor*, in presenting a Petition from the publicans of the city of Hereford, praying that the trade in Beer might not be thrown open, observed, that the petitioners stated to the House, that they would most certainly be ruined by a measure, from which they did not believe the community would derive any benefit. Their sufferings too would be greater than those of the licensed victuallers in the Metropolis, because their property depended more on the exclusive privileges they enjoyed. They had embarked their capital, they stated, in the trade, under the existing laws, supposing that as long as they conducted themselves with propriety, those laws would not be altered to their injury. Their conduct had been approved of by the magistrates and clergy of Hereford, and he must say, it would be very unjust for the House to impose a loss on them for the supposed advantage of other persons. They were subjected to having soldiers billeted on them, and various other burthens, for which their license was scarcely a compensation. They had in general paid considerable sums for their premises, and they could but expect, if the measure they prayed against were passed into a law, that they should be utterly ruined. The noble Lord,in conclusion, expressed his approbation of the conduct of the Ministers in diminishing taxation, and his hopes that the country might derive all the advantages they expected from their measures. Petition referred to the Select Committee on the Beer trade.

DUTIES ON WEST-INDIA PRODUCE.] The Marquis of *Chandos*, in presenting a Petition from the West-India Planters, praying for a reduction in the Duty on Coffee, observed, that he could not avoid expressing his regret, that nothing had been done for the Colonies in the late reductions of taxation; but since his Majesty's Government were disposed to afford relief where it was most wanted, he was not without hopes that they would yet, before the Session was at an end, do something for the Colonies, which were in a lamentable state. The loss of income in some of them was so great as to endanger their existence. When it was considered how much the former reductions of the duty on Coffee had increased the sale of that article, the petitioners were justified in anticipating, from a further reduction of duty, no loss to the revenue. Such a measure would be equally beneficial to the Colonies, and the mother country.

Mr. *K. Douglas* concurred with the prayer of the petition, and gave notice of his intention to bring the subject of the trade of the West-India Colonies generally under the notice of the House shortly after the Easter recess, with the assistance of the noble Lord. He must also express his regret that nothing had been done for the West-India Islands. As the trade with them was very advantageous, it was only right that they should receive their fair share of protection.

The *Chancellor of the Exchequer* hoped that the difficulties under which the West-India interest laboured would speedily be at an end. It would, no doubt, be extremely satisfactory to the Government to afford the petitioners any relief which they possibly could by the removal of any taxes which could safely be repealed. In bringing before the House his financial statement, he carefully considered those imposts which could with most advantage be repealed; and in looking at the choice he had made, he thought it best calculated on the whole to effect the legitimate objects of reduction. In his view the taxes on West-India produce could not with propriety be remitted, while the taxes on commodities made at home remained so high. Though not directly, yet indirectly, the West-India interest would derive benefit from the reductions which had been made.

Mr. *R. Gordon* thought a reduction of 7*s.* or 8*s.* duty on the chief produce of the West-Indies, he meant sugar, might be made without any loss to the revenue.

Petition printed.

LEAD.] Lord *W. Powlett* presented a Petition from Arkengarthdale, in the North Riding of Yorkshire, complaining of the low price of Lead, of the great importation of foreign Lead, and of various other things from abroad, while the foreigner would take none of our commodities, and praying that a duty might be levied on foreign Lead. The place from which he presented the Petition was, he said, from its vicinity to the Lead Mines, of great importance. There were upwards of 20,000 people in that neighbourhood whose subsistence altogether depended upon these mines. He was certain that the importation of foreign Lead, of which the petitioners complained, was a serious evil, and he was anxious to know whether the Government contemplated an augmentation of the import duty on foreign Lead, or meant to allow of this competition proceeding unchecked. At a time when distress pervaded all ranks, Ministers should, as far as possible, look to the welfare of the working classes. He expected every day to receive a petition from Sunderland, exhibiting in a striking manner the great distress which he knew to prevail there, and which he did not wonder at, since he knew the vast quantities of timber, and of almost all other foreign productions, that were continually brought into the country. He requested to be informed what were the views of Government respecting the importation of foreign Lead.

Mr. *Herries* said, that this subject had never been lost sight of since he had the honour, at the Board of Trade, to receive a deputation from the north of England, but he would not say that the Government had decided according to the wishes of the petitioners. He did not see how it was possible for the Government, when he considered how much Lead was used in our manufactures, to interfere with the competition in the market, and dictate an artificial price for an article of such extensive consumption. Even if it were possible to protect the English miner, as the practice of imposing a duty on the foreign miner was called, he did not see how that duty would give the petitioners the advantage they sought for. To the imposition of a heavy duty on a mineral that entered so largely into the manufacture of various articles, the superiority of which in the market it was our business to maintain, there were so many objections, that he believed it would be impossible for the Government to comply with the petitioners' wishes. He was not aware, however, what the Chancellor of the Exchequer would think ought to be done.

Petition printed.

COMMITTEE OF SUPPLY—NAVY ESTIMATES.] On the Motion of Sir George Clerk, the House went into the Committee of Supply, and the Navy Estimates were referred thereto.

Sir *Geo. Clerk* then moved, that a sum of 603,200*l.* be granted for victualling 29,000 men for the service of the Navy during the ensuing year. Resolution agreed to; the Report to be received on Monday.

DISTRESS OF THE COUNTRY—ADJOURNED DEBATE.] The Order of the Day for renewing the debate on this Question was then read.

Colonel *Sibthorp*, who was in possession of the House, immediately rose and went on to say; when the important measure that was introduced last Session to the House was brought forward, the right hon. Gentleman who proposed it, defended it on the ground of expediency; he wished that the Government would attend to the same feeling in this instance, because he was convinced that it would lead them to meet the universal wish of the people. It was retorted upon those Members who most pressed this point, that it was their unwillingness to lower their rents. Now, for his own part, he had no unwillingness on that head, because he was convinced of the necessity for such a proceeding. One of the most striking instances of the present state of things was to be found in the Wool trade; and of the state of that trade what was taking place in Lincolnshire might be taken as the criterion. The price of that article was now reduced to about 5*s.*, and 250,000*l.* was annually lost to the country by that falling-off. Cattle prices had also followed in the same train, and the farmer now was unable to procure for his fat beasts what he had formerly given for his lean ones. These positions had been contested, because a Mr. Bull had taken upon him to state the contrary, and, in consequence, Mr. Bull, and Mr. Jacob, and Mr. Giblett, went to Lincoln. They, however, got such a confounded rowing there, that he believed they would never shew their faces there again. It was said, that if they were to grant this inquiry it would be the means of deluding the people. He could not, however, agree in that observation; it was not in mortals to command success, but they might at least endeavour to deserve it, and though relief might be beyond their power, at all events they were bound to do their best to attain that object. It was true that the Chancellor of the Exchequer had done something by the taxes he had remitted, and he thanked him for it, though he feared that they would afford but little benefit to those who needed relief the most, as the farmers were unable to pay their labourers any wages. On the previous night of the debate the right hon. Gentleman, the Member for Liverpool, had made a very long speech, but he could not find that it embraced or proposed any one point of relief. At the commencement of that speech he had said that the agriculturists were not wholly ruined; which certainly was not a very satisfactory statement, coming, as it did, from that right hon. Gentleman. It was evident that the country required relief; and if it were not afforded by that House, the sooner, as an hon. Member had said, they were all thrown into the Thames the better. The Duke of Wellington had endeavoured to make out that timber was now at as high a price as it ever had been. He could state the contrary from his own knowledge; and if timber were imported to the extent of 550,000 loads annually, as had been mentioned, they would very soon be unable to get any price at all for it. The right hon. Gentleman had taken occasion to say, that some of those who thought as he (Colonel Sibthorp) did were Currency-mad, but he believed he might retort the charge by alleging that the right hon. Gentleman was Free-Trade-mad. Another flourish that had been made was about the gold and silver plate ordered for use, and on which duty was paid, but that he thought had very little to do with the real prosperity of the country, and only reflected shame on those who might have employed their money so much better, when there were so many unfortunate persons who had not even an earthenware plate to use, and if they had, could find nothing to put on it. The only satisfactory point connected with the subject was, that there was to be a further reduction of taxation, though he did not think that the promised reductions went to a sufficient extent. The petitions of the people were decisive on the question of distress. Those petitions came from the persons whom that House ought to represent, and he therefore trusted that they would be attended to. To these things he desired to call the attention of the Government; but whether he were successful in that or not, at least he had the satisfaction of knowing that he had listened to the dictates of his own heart in endeavouring conscientiously to discharge his duty.

Colonel *Davies* observed, that in his opinion a sufficient case had been made out to call for the appointment of a committee; but after having heard what had fallen from the hon. Member for Shaftesbury, and the hon. Member for Newark, with respect to the question of currency, he said that it would be impossible to vote for the Motion without broaching that subject, unless it were an understood thing that the currency question should not be entered upon in the committee. He was convinced that the people would not be satisfied if they found that inquiry was refused because they were at variance on one point; and yet many Members would be compelled by the obstinacy (if he might use the term) of those who brought forward the motion on the question of Currency to vote unwillingly against it. With reference to the distress, he knew that it existed to a great extent among all the manufacturers. In particular, he was surprised to hear the right hon. Gentleman say the other evening, that there was no distress in the iron trade, when, if there was one trade of the kingdom more distressed than another, it was the iron trade. He knew that several furnaces had been blown out.

Mr. *Herries* explained, as we understood, that his information had been derived from an iron-master.

Colonel *Davies*, in continuation, said, that the anonymous authority of one iron master ought to have no weight with the House, when it contradicted such a well-known fact as the general distress of the iron manufacturers. The hon. Member then proceeded to read an extract from a newspaper, to shew that a considerable body of weavers had emigrated from Paisley, and had carried with them our manufactures to New York. This emigration was the result of excessive taxation, and Great Britain, like Holland formerly, was banishing her most industrious subjects from her, by the burthens she imposed on them. He believed with the right hon. Gentleman, the Member for Liverpool, in whose speech he generally concurred, that our exports and our business had increased; but the increase had been at the expense of the weavers, who, while the increase had been going on, had hardly been able to subsist. The low prices, which were ruinous to them were beneficial to the annuitants, the pensioners, the holders of the national debt, and all salaried persons. They profited by low prices. Lawyers and physicians also did not reduce their fees—among them there was no distress, and they did not complain—but all the productive classes, including the labourers, were suffering and complaining. One right hon. Gentleman had quoted the quantity of timber imported as a proof of our increasing trade; but what did that show? Why, that foreign timber was used instead of British timber. He knew that in his own neighbourhood no timber could now be sold. He admitted, with his gallant friend who spoke last evening, that the price of commodities in the foreign market regulated the price here; and admitting that, he said that it was the business of Government to place the producers here as much as possible on a level with those on the Continent, by a reduction of taxation. At present the foreigners who used to be the consumers of our commodities were become our rivals in other countries, and met us on equal terms in the markets of South America and the Eastern world. He was glad to acknowledge that something had been done towards reducing taxation, but removing the Beer duty would not, he thought, be a great benefit to the lower classes. They were generally in so low a condition that they had no money to spare for buying beer, and must be satisfied if they could obtain food, clothing, and a lodging. He should wish to see a still further reduction of taxation. The House ought to begin by giving the people cheap bread; it ought to reduce the Assessed Taxes, and take off the Malt duties. To meet these reductions he would reduce our expenditure; and with an honest House of Commons—and this was necessary—a reduction of our expenditure in the Army, in the Navy, and in the Colonies to the amount of four millions, might be made. To cover any deficiency arising from the reductions he proposed, he would have recourse to a property-tax of two per cent, which, if extended to Ireland—and he did not know why it should not be—would be amply sufficient. But he did not think, even if the legislature, in addition to abolishing the taxes he had already mentioned, were to reduce the duties on sugar, on tobacco, and other similar articles, that there would be a large diminution of the Revenue. We had on former occasions tried the effect of lowering the duties, and we had found that the result was, to increase the Revenue. In conclusion the hon. Member regretted, considering the number of petitions presented to the House, and being anxious, as he was, to attend to the prayers of the petitioners, that such a motion should have been so introduced, so worded, and so connected with the currency question, as to extort from him, and those who, like him, were anxious to relieve the distress of the people, an unwilling opposition. He would implore the hon. Member, if he were present, to withdraw his Motion, as it was impossible, with any regard to consistency, in respect to the currency question for him to vote for the Motion. He had only made these few remarks, because he had been anxious to explain why he could vote neither for the Motion of the hon. Member, nor the Amendment of the hon. Baronet.

Mr. *Hudson Gurney* said:—It had been my intention to abstain from troubling the House with any observations, or from voting at all on the present occasion. As far as the situation of the country has come under my purview, I agree with all that has been stated by the hon. Member for Essex; and as to the causes which have produced that situation of things, I also entirely agree with that hon. Member; but I am compelled to confess, which has also been not obscurely indicated by the right hon. the President of the Board of Trade as his opinion, that things so standing, I do not exactly see how to mend them. The very able speech, however, of the right hon. the Member for Liverpool has induced me to throw myself, for a few minutes, on the indulgence of the House. That right hon. Gentleman has proved, that all the commercial measures of the Government have been distinctly right; that, under the system which they have introduced, the external commerce of the country has increased; that its internal commerce has greatly augmented; that, had the old system of prohibitions and restrictions been obstinately persevered in, the commerce of England would nearly have reached its extinction; in fine, that, were it not for some one general pervading cause of distress and bankruptcy, the country ought, by the shewing of the right hon. Gentleman, to be in a state of singular prosperity. Now, Sir, to me it does seem perfectly clear, that the one and only source of all our difficulties, and of all the distresses that press so large a portion of our population to the earth, is the affair of the money—the great and inconceivable error of the legislature in 1819, in making gold their only standard of value, at the price arbitrarily fixed on in 1711; when all other commodities, which they were thenceforward to value in it, had increased in their prices, perhaps three-fold: so that every product, of whatever nature, must of necessity be continually, just in proportion as that standard shall be practically applied to it, shrinking in marketable price in the hands of the holders: that is to say, the legislature in 1819, after a long course of paper prices, did not even content themselves with reverting to the ancient standard of the country, but thought fit to adopt a standard which was a mere fancy of the first Lord Liverpool's, introduced by him in 1774, and which, in twenty-three years, had brought itself to its own consummation—the stoppage of the specie payments of the Bank of England in 1797. And now, Sir, of this Bank Restriction of 1797—it has been called a measure to save the Bank of England; but, in truth, it was no measure at all. The Bank of England could have paid all the demands of their creditors, if their debtors could have paid them; but the Government was the great debtor to the Bank, and the Government could not pay. Loan on loan, and taxes to meet the interest had necessarily brought up prices beyond the point at which guineas could be procured to represent them; internal transactions could not stop, and when the coin could no longer be found, it was of hard necessity that the token was substituted. The right hon. Gentleman has stated, that the gross amount of taxes has been lowered in a greater proportion than the comparative value of the currency; but this very circumstance is in itself a proof, that a lower taxation does not meet the great evil—the pressure from private engagement—only to be discharged by the sale or transfer of articles, which have been, by means of the changes in the currency, perpetually falling in marketable value, on the hands of the producer, or the holder. As far as my memory serves me—I think in the debates of 1819—the right hon. Gentleman, the Member for Liverpool, dwelt particularly on the advantages to the labouring classes which would result from the return to a metallic currency; but our unfortunate experience has completely proved the fallacy of that opinion. I speak not of what ought to be, but of that which is; and in all changes, and the pressures attendant on them, the weakest go to the wall. When driven to a severe and unwelcome economy, every one endeavours to preserve untouched the means of his personal enjoyment, and to economize at the expense of other men; every one throws out of employ some of those at the moment dependent on him for subsistence. These find all callings occupied: the wages of the labourer become more and more inadequate; and, in the tremendous act of sweeping spoliation—if spoliation that can be called which has benefitted no one—the sufferers throughout have been the debtors and the poor. The right hon. Gentleman then comes to the nature of our taxation, and states that our indirect taxation is the greatest, our direct the lowest in Europe—that with us the capitalist is most spared, and the industrious classes are the most pressed upon. Now, in this it is hardly possible to conceive a more extraordinary course, (for I would not use a harsher epithet) than that which has been pursued by the Parliament of England. The first thing, after the conclusion of the tremendous struggle in which the country had been engaged, and which had been avowedly commenced for the protection of property, was the refusal to continue a limited property-tax; since which, imposition after imposition has been mitigated; the assessed taxes have been diminished; every thing has been done towards the encouragement of the extravagances of the opulent; whilst every tax has been left unaltered which presses upon the necessaries or the luxuries of that class whose labour is their only possession. The present Chancellor of the Exchequer, greatly to his honour, appears to have discovered the error, and to be pursuing an opposite course. The right hon. Gentleman, the Member for Liverpool, has stated it as his opinion, that a revision of the system of banking might give a greater facility to credit, and thereby operate considerable relief to the country. Now, I am far from denying that some system might be devised, which might conduce, in a certain degree, to a greater steadiness in commercial transactions; but relief as to prices, under the present standard of gold payments at 3*l.* 17*s.* 10½*d.* an ounce, there can be none. There is no want of credit now, to those who are able to repay: the right hon. Gentleman complains of the country bankers being unwilling to advance on projects at home, and sending their surplus monies to London; so creating a glut on that money market: but would the right hon. Gentleman wish the country bankers to lend the money committed to their care to parties whom they knew to be bankrupt? or to those who, by the depreciation of their property, they thought were becoming bankrupt? or would he have them lock up monies payable by them on demand, in loans which they knew could not be repaid when the money was demanded? The right hon. Gentleman then blames the Bank for having locked up their capital too largely and improvidently; that is, he blames the weaker body for not having ventured that assistance which he considers it an imprudence in the stronger one to have supplied. On the whole, if the Government shall be able to maintain the present standard, three consequences necessarily follow:—first, the continuance of low prices; secondly, low rents, and, for a time, very ill paid; and thirdly, very low interest of money. If either the pressure or the dissatisfaction arising from this process compel the Government at any time to give way, it is my individual opinion, that the very worst species of circulation, and the one most certain to produce calamitous revulsion, would be the issue of the small notes of private parties, payable on demand in gold of the same denomination, at the present standard. As the gold, whilst things went smoothly, would never be demanded, commodities would approximate to their paper prices, and when the difference had reached a certain point, by driving gold to other countries, there would be a rush for the more valuable material, which, at such a juncture, it would be found physically impossible to supply. I can see only two courses that the Government can take, if they find some relief must be given: the one, an issue of Government paper left to find its own depreciation,—which, if received for taxes, and kept considerably below the receipt of the revenue, would probably not be great: the other what has happened over and over again in every civilized country under Heaven, and without any very great or permanent inconvenience,—the open and direct alteration of the standard.

Mr. *Leslie Foster* said, it appeared to him that nearly all the Members who took any part in the debate on this question, were of opinion that the distress was to be ascribed to the diminution of the currency. He repeated, that many Gentlemen had expressed an opinion to that effect, and he was satisfied that it was founded on very erroneous conclusions. It was a gross error to suppose that the distress would be alleviated by any artificial addition to the currency. He would ask the Members to look at the state of trade, and at the condition of the various branches of our manufactures. In the iron trade they would hear that so much iron had never been required before. In the silk trade they would hear that the importation of the raw material was greater than it had ever been, and in various other manufactures they would perceive steady demand and constant employment. But then, with all this demand, and with the employment of a vast deal of capital, there was still a great quantity of capital in the country which could not be advantageously invested, and which yielded but a very small return. Suppose, then, that this capital thus unemployed was still further increased, what would be the consequences? Why, a host of mere adventurers would be let in to the ordinary paths of commerce, the profits on capital would be still further diminished, and capital itself must unnecessarily be increased. The trade of the country did not require currency so much as customers. It required the opening of new channels for the direction of the industry; or, still better, that the people of Great Britain, the best and the surest, should become customers themselves. This was a good to be obtained by the removal of the burthen of taxation in such a manner as to increase consumption, and to that object the Government had already successfully applied itself. He thought that great exaggeration had gone forth on the subject of distress in this country, as well as in Ireland. He had made very minute inquiries on the subject, and he found that in Dublin and London there were great numbers suffering privation; but instead of selecting these places as affording proofs of the general distress, they ought rather to be mentioned as the places in which that distress was most to be found. He had consulted a great many persons connected with Ireland; and from all the information he could collect, he was satisfied that capital was never so abundant—trade never so flourishing, and rents never better paid in Ireland than at the present moment. Many of those Gentlemen who acted as Receivers for the Court of Chancery had informed him that the rents were regularly paid, although they complained, in common with many others, that the lands were too much crowded with a labouring population. When there was a great quantity of produce which found a regular market, there must be profit. Now, by the returns of the quantity of produce which found its way from Ireland to England, through the means of the different steam-boats, he found that the value of that produce amounted to three-fourths of the whole of the highest sum paid as rent by the land in Ireland. This was the result of the returns of the account of the Irish produce imported annually into England. In fact it was astonishing to what an extent provisions of various kinds had been sent into England. Eggs were sent from Connaught into Yorkshire, showing that many good things were imported from Ireland besides men. It had been said that the population of Dublin was much distressed: there were, he believed, about 2,000 mendicants in that city at present; even in the most prosperous times the number was not much less; but there were also 7,000 operatives unemployed, and suffering under great destitution. This, however, was a state of things to which that city had been subject at all times. There were at all times instances of depression and prosperity in the population of Dublin, even in the most flourishing times, and therefore this could not be taken as an indication of universal distress. Before the restrictions were removed from trade in Ireland, the industry of the people was cramped for want of demand, and since they had been removed it was cramped in the same manner by the rivalry of the manufacturers of England. The purchasers of goods always went to the market where there was the greatest variety; and as the manufacturers of Manchester always took care to vary the fashions of their fabrics, it was evident that the greatest quantity of goods would be purchased in those places where the fashions were attended to, and where the consumption allowed them to be attended to. In Bandon there was also a good deal of distress, but it was mainly to be attributed to the failure of an attempt to establish the cotton manufactures—an attempt made on a small scale, and not persevered in with an extensive capital. In Belfast, however, that trade had taken a deeper root, and he was happy to say that it presented instances of large establishments flourishing with as much vigour as any of those described by the hon. Baronet (Sir G. Phillips) on a former occasion as proving the prosperity of the cotton trade in Lancashire. The district of about sixty miles round Belfast was full of weavers in active employment, and the hand-loom weavers were only earning about 4*s.* a week, being pretty much the same as in Lancashire. The hon. Member, after again praising the course adopted by Government in reducing taxation, concluded by observing that he considered the inquiry not to be desirable, for several reasons. All the good that could be expected from it had been already done—the distress, partial as it had been, was already diminishing, and an inquiry would only tend to mislead the public and produce disappointment. He disapproved of the inquiry, too, because those who sought for it would select extreme cases in proofs of the truth of their opinions, and the result would be to lead other countries as well as ourselves to believe that we were on the verge of destruction, and to produce, therefore, a state of exasperation which must aggravate, in a great measure, the real difficulties of our situation. Another and a stronger reason for resisting the inquiry was, that although it proposed to go into all the subjects which had been mentioned, it would really be confined to those which were least to be desired—an alteration in the currency, and a new Administration.

Mr. *Holdsworth* said, he had heard the speech of the right hon. Gentleman, the Member for Liverpool, with regret and satisfaction. He was pleased to hear of the increase in our commerce, but pained to learn that there was no hope of prices and wages rising in this country above their level on the Continent. While the right hon. Gentleman professed this opinion, he seemed to think that the wages of the artizans were much too low. How the state of things could be reconciled to an idea of national prosperity, or how it was possible for it to continue, was past his comprehension. It seemed to him a dilemma from which there was no escape. If the wages of workmen were already too low, and if raising them would be impossible without injuring our foreign trade, he did not see how we could escape from our distress. To refer to the subject before the House, he must, although he was persuaded that the motives of the hon. Mover, and of those who supported the Motion, were most conscientious, yet as he felt that the inquiry could lead to no beneficial result, and, therefore, that to enter into it would do more harm than good, he must refuse his assent to the Motion. A committee appointed with the view proposed would have to look into the state of the shipping, manufacturing, colonial and landed interests: it would have to inquire into the effects of the war and the peace upon all classes; into the effects of the change of the currency, and into the results of the alterations of our commercial system; but these subjects were so important, as well as so numerous, that it would be impossible for any committee to prosecute inquiries into them all with any success, or come to any satisfactory conclusion. In his opinion, therefore, it would be far better not to make the attempt. Much of the present difficulty, in fact, arose from want of confidence, which would most certainly not be increased by a measure which gave rise to hope that some alterations would be recommended in the laws concerning trade. Much of it arose also from the changes which were going on in the seats of several manufactures, and he was surprised to hear the hon. Member for Bramber (Mr. Irving) made the subject of attack for having asserted that the woollen manufacture was now emigrating from Gloucestershire to Yorkshire; nothing was more true; and at all times it appeared that trade had been subject to these changes, producing great temporary distress. Devonshire was formerly the most manufacturing county in England, and woollens were then exported to France from Devonshire, and linens brought back in exchange. Any hon. Member who had any doubts on the subject, might refer to the Statutes. It was natural that we should try to imitate those linens, and Dorsetshire became the seat of the linen manufacture. In the reign of Henry 8th, Bridport was the chief place in the kingdom for manufacturing cordage, which probably contributed to promote the linen manufacture in the same neighbourhood. For a long time the supply of the west of England was confined to that neighbourhood, but the linens of the west of England were driven out of the market by the Scotch linens, which, in their turn, have been superseded by cottons. Hampshire, Sussex, Kent, Essex, Suffolk, and Norfolk, had each in its turn, been the seat of a considerable woollen manufacture, no trace of which, in most of those counties, could now be found. All had yielded to intellect and machinery. The advantages possessed by the coal counties had drawn all manufactures to them, and Spitalfields, Norwich, and Gloucestershire were yielding to the same influence which had previously attracted manufactures from Kent and Sussex into Yorkshire. He had alluded to this subject, having a local attachment to it, because Newcomen, the great author of the Steam Engine, as a motive power, who had prepared the way for Watt, was a native of his own town. It should also be recollected, that when one trade is declining, men will change to another. The patent net trade left Loughborough: it fled from the Luddites into the west, where it found a more congenial soil, and a smaller host of envious and jealous operatives. As to the distress, he was about to state an unpopular opinion, but he was convinced that the great pressure of distress was not so much on the poorer classes as on the classes immediately above them,—on the small shopkeepers, and small agriculturists; and he feared that the difficulties under which they were labouring were beyond the reach of legislation. There was a want among them of that commercial confidence which was essential to prosperity. The argument against the existence of any distress, which had been deduced from the fact that most of the manufactories were still going on, was fallacious. They were going on, because the masters were in hopes that circumstances would improve, and because they apprehended that if they gave them up, they might not be able to recover them at any future time. As to manufactures flourishing in the hands of large capitalists, the cloth trade of Leeds would suffice to bring that assertion to the test of fact. He had, within two months, seen the great activity that prevailed about Huddersfield, and Leeds, and Halifax. He was satisfied, too, from what he observed during a residence of two months in that part of the country, that the agriculturists were the chief sufferers. In the Bradford market, in last December Scotch mutton sold at 3*d.*, and beef at 4*d.* per lb. The agriculturists, he believed, wanted capital; they had been too much reduced to carry on their operations; but that was not the case with the manufacturers. He knew a bank, in a manufacturing district, which had in circulation, in December 1828, 28,000*l.* and in December 1829, 23,500*l.*, while its deposits during the same periods were as 86 in 1828, to 136 in 1829. In the latter period, however, the price of the chief article made in the neighbourhood had fallen from 13*s.* 3*d.* to 11*s.* 9*d.*, showing, that the circulation between 1828 and 1829, had decreased about 14 per cent, and the prices about 12½ per cent, while the deposits had increased to nearly 50 per cent. These facts showed that there was no want of capital in the manufacturing districts, though, in consequence of the fall of prices, the amount of active circulation was decreasing. The state of the manufacturer was very different from that of the farmer. The former could tell pretty nearly how much raw material he could work up in a given time, what quantity of the manufactured article it would make, and how much the latter would sell for. He could calculate the results of his operations with some nicety. But the farmer never knew what his labour was to be worth. He might sow, and manure, and improve his cultivation, but could not tell beforehand what his labours would produce. He was obliged to go to market to pay his rent and his taxes, whether his bullocks or his corn had thriven well or not, and whether they were worth any thing in the market or not. The result was, that he was always at the mercy of the capitalist. He was obliged to sell his goods below their proper price; and the late distress having driven more farmers than usual into difficulties, more corn and cattle than usual had been sent to market, and the prices had been unusually low. Part of this evil was to be traced to the want of confidence in the agricultural districts, in which scarcely any man would lend a farmer 50*l.* although his stock might be worth ten times as much. He lived in a commercial country without possessing the power to avail himself of its advantages. He was able to do that before the country banks were destroyed, but at the very time that he required assistance most they had been done away, and he had been ruined. No man laboured under such disadvantages as the farmer. He was obliged to make advances, very large advances, in cultivating the soil, and he was obliged at particular seasons to send his crops to market. He would have the great landed proprietors look well to the condition of the farmers, for unless something were done they would find half the land in the country changing hands. The farmer too was bound by a lease, he made a contract to pay a specific sum every year, though he was dependent on the vicissitudes of the seasons. The crops might be affected in value also by our policy; they had been so affected, and just at that moment the Government had deprived him of that assistance he used to derive from the country banker. He would not inquire into all the consequences of a re-issue of small notes. He was only anxious that the farmer should be placed on a footing with the rest of the community, and he knew no better way of accomplishing that than by having recourse again to small notes. He did not care much about the means, but the result he was anxious to obtain; and bad as the resource might be, he was satisfied that an issue of small notes was the only mode in which the farmer could be assisted in his distresses. He would be one of the greatest men in the country who could devise the means of enabling the farmer, when he wanted it, to obtain a similar assistance on his goods as the manufacturer obtained. Let the House consider what would be the effect if things went on as at present; let it decide whether it would have the trifling evils of one-pound notes, or see the farmer ruined by being hampered with contracts, and having to pay large fixed sums, that were not and could not be raised by him at the present prices of his produce. No man would lend him gold. To transmit gold from London to the distant parts, where the farmer most needed accommodation, would not pay the expense. The banker would gain nothing by it. In the large towns the case was different. The great amount of the business there transacted by bankers, the extensive undertakings of the persons they dealt with, made the trifling profits on one-pound notes of no consequence to them; they dealt in fifties and hundreds, but the small banker, in a distant town, dealt in smaller sums, and must be contented with less profits, which he could not obtain without having recourse to the issue of small notes. All that he wished for was, to see the farmers throughout the country able to obtain the same accommodation as all other traders. He was glad to hear the right hon. Gentleman, the Member for Liverpool, recommend an inquiry into our banking system, because that might be useful. On the whole, conceiving that no good could be obtained by going into the committee, he should vote against both the original Motion and the Amendment.

Mr. Alderman *Waithman* said, the debate had taken an extraneous course. The questions for the consideration of the House were—Did the distress complained of exist?—What was its nature and extent, and from what causes had it arisen? Were the proposed reductions in taxation calculated to give the necessary relief, or what other remedies could be applied? He gave the Government credit for good intentions, and admitted that the taxes proposed to be repealed were well selected. The present Ministers had done as well or better than the administrations that had gone before them, but that was not enough: the country was now under extraordinary circumstances, and required much more; further reductions could not probably be made with our present enormous establishments, but had the estimate of Lord Castlereagh in 1817 been adhered to, more than a hundred millions, including interest, might have been saved to the country. That distress, to a great extent, existed was admitted by all, although some Gentlemen denied that it was extensive, and had produced letters to support their statements; but such documents, opposed as they were to petitions from all parts of the country, were worth nothing. All the productive classes, whether engaged in agriculture, mercantile, manufacturing, or trading concerns were alike suffering, and those who had fixed incomes, or who subsisted upon the taxes, were alone exempt; but those who were the most severely affected were the labouring classes, many of whom were in a complete state of destitution.—It was not the latter who complained—it was not those who subsisted upon charity, or who were supported in the poor-house, who now petitioned Parliament, they were broken down in spirit as well as circumstances, and past such an effort:—but those who now laid their complaints before the House were those who felt they were verging towards ruin—those who felt the ground sinking from under them, and their property melting from their grasp, and who called upon the House to avert the calamity. The farmers could not quit their farms and relieve themselves from their burthens and liabilities—the manufacturers and traders who were paying high rents and taxes for situations adapted to their business could not run away from their establishments, in which much fixed capital was engaged—they could not escape from their burthens, or enter into other and more profitable occupations; but while their capital and profits had been reduced one-half, they had to make a hopeless struggle against an immense amount of oppressive taxation, which in effect was increased to double its former amount. He agreed with the right hon. Secretary to the Board of Trade, that a return from war to peace had caused a great reduction of prices, and also the repeal of the property-tax: but we were now suffering after fifteen years of peace, and those causes had ceased to operate, and we had since enjoyed several years of boasted prosperity. In consequence of those causes the fall in prices had, in the year 1817, amounted, as appeared by calculations founded upon official documents, to about twenty-eight per cent, and in the year 1818 a re-action took place, and prices advanced full five per cent. We were then recovering, but in the year 1819 the bill affecting the currency passed, which caused a further depreciation to the extent of forty per cent, making the whole amount of depreciation sixty-three per cent, thus reducing every hundred pounds of a man's capital who was embarked in trade or agriculture to be worth only 37*l.*; and as most concerns were conducted in part upon credit, this reduction, in thousands of instances, had destroyed the entire capital and consigned the individuals to absolute ruin. The amount of the returns and profits upon trade had all been proportionably reduced, as well as the price of labour, which was the grievance under which all the productive classes now suffered. What effect could the removal of two or three millions of taxes have on the people while the House refused to inquire into the causes of their present grievances?—or how could they again confide in the promises of that House? Unless an adequate remedy were provided, consequences the most fearful were to be apprehended, and there appeared to him, as he had on a former occasion stated, to be but two ways of escaping—either to reduce taxation to prices, or to raise prices to taxation. They had been told that eight millions of taxes could be taken off—that did not appear to him to be possible: he had no wish to break faith with the public creditor, and when he considered that the interest of the national debt amounted to nearly thirty millions per annum, he did not see how it was possible to meet the present difficulties in that way—if the attempt were made, it must be with an unsparing hand—every branch of the expenditure must be cut down to meet an evil so extensive in its nature and effects. The House was told that trade is reviving, and confidently assured that the present difficulties of the country will be of short duration. But could the House confide in any such assurances? Could any temporary flush of trade relieve the country from its present embarrassments, or replace the suffering individuals in their former state of comfort and comparative affluence? Had not the same assurances, year after year, been as confidently held out to them for years past, and had not they been uniformly disappointed, the country going continually from bad to worse? Distress and embarrassment had heretofore often appeared, but they had been temporary, and could be traced to some particular causes: some ray of hope then appeared, but now they have been of several years continuance, and have been yearly increasing; could the House, then, without a total abandonment of its duty, reject the prayer of so many petitions? From the very top to the bottom places, pensions, and appointments must be abolished or reduced. The church, the army, and in short all fixed incomes could not escape, without which no adequate remedy could be so applied. He was not wedded to any particular mode of relief: there was another, from the consideration of which all inquiry seemed proscribed—no man could even venture to allude to it without encountering heavy denunciations. The House would perceive that he meant the Currency question,—at the very mention of which some Gentlemen were so much alarmed, that they would not vote for inquiry, if that question were to be mooted. But why, if it was a measure of such justice and expediency should they be so alarmed at any investigation? He would ask whether a measure passed by a former Parliament was to be of so sacred a nature, that all inquiry was to be forbidden, and that it must never again be touched upon? Were they so far to subscribe to the wisdom and infallibility of those who passed this measure, as to preclude all investigations upon it? Were they, when the people state this to be one, and the principal cause of all their suffering, to forbid all inquiry? What magic was there in the word Currency, that he and others should not be allowed to exercise their reasoning faculties upon it? He saw none, and would not submit to such proscription; every evil was ascribed to a paper currency, and the Bank and the country bankers became the objects of crimination. He believed that the evils that had arisen from a paper currency were chiefly, if not wholly, to be ascribed to the measures of the Government restricting the Bank of England from cash payments, and not merely to a paper circulation, or to the country bankers; for all those schemes of 1825 were concocted by speculators in London, and not by the country bankers, most of whom had suffered by such speculations, though they honourably fulfilled all their engagements. No man had now in contemplation a recurrence to the Bank Restriction, although it was very generally felt that a greater facility of circulation to country banks was highly necessary in the present state of the country; they had been useful in times of danger and difficulty, and were now most unjustly calumniated. The capital of the country migh be great, but a further medium of exchange was certainly wanted, and this, among others, was a fit subject for inquiry. He now felt himself called upon to notice some observations which the right hon. Gentleman, the Member for Liverpool (Mr. Huskisson), had, in a considerable portion of his speech, directed to statements which he (Alderman Waithman) had made upon a former occasion to the House. The right hon. Gentleman had prepared himself with partial extracts from official papers, and drawn from them inferences founded upon mere hypothesis, to shew that his (Alderman Waithman's) views with respect to foreign trade were erroneous. According to the right hon. Gentleman's statements in his inferences, it would appear, that the country was in a most prosperous and flourishing condition—overflowing with comfort and happiness; but he had, however, answered himself, and the latter part of the right hon. Gentleman's speech gave melancholy proofs to the contrary, and he had described the existing distress and privation in gloomy colours. The right hon. Gentleman talked of having laboured for the good of the State as a public servant, and that he could not help putting forward his opinions, now that he stood as an isolated Member of Parliament. The right hon. Gentleman passed for high authority in that House upon matters relative to trade, and it was difficult to deal with him; for he possessed so much adroitness, and shifted his ground so dexterously, that it was no easy matter to get at him; but upon whatever unequal terms they might contend, he felt perfectly confident that he could show the fallacy of the right hon. Gentleman's statements, to the conviction of every unprejudiced and impartial man acquainted with the subject. Last Sessions of Parliament the right hon. Gentleman stated, that there had been a great increase in the exports of the preceding year, and he stated this as a proof of commercial prosperity. They had, he said, exceeded those of 1826 (which it should be remarked was a year of great depression) twelve millions, while he (Alderman Waithman) made it then appear, from parliamentary documents, that the exports in real value was less than the amount quoted by fifteen millions. The right hon. Gentleman had now chosen to go to the imports, and had selected five years, 1824 to 1828, both inclusive, in order to show that there had been an increase in the quantities of certain articles, as compared with five years from 1816 to 1820 inclusive; and from these and some intricate and erroneous calculations he had made, the right hon. Gentleman had inferred the great increase of internal consumption, and of course the great increase of comfort and happiness of the community. Now, had such increase taken place, it would only have borne a relative proportion to the increase of the last thirty years, and to the increased population. But he would ask, why the right hon. Gentleman had made his selection of these years for comparison? Why had he slipped over the intervening years? Why did he include the years 1824 and 1825, years of the greatest speculation ever known, in which the imports had increased eight millions over the preceding year? And why did the right hon. Gentleman select, as a point of comparison with those years, a period including 1816 and 1819—years of the greatest depression that had ever occurred—the imports of one of those years having been seven millions, and those of the other nine millions less than those of the preceding year? It was well known also that some of the articles he selected, Cotton and Tallow in particular, were the articles in which the largest speculations were made; and so far from proving an increased internal consumption, the importations were far beyond the demand, and great part remained on hand. The right hon. Gentleman also made his estimate of home consumption by calculating the number of yards of cotton exported, reckoning one pound for five yards exported, and one pound for six yards for home consumption, inferring from thence the quantity in weight of the raw material retained for home consumption, a calculation so erroneous that the very reverse is the fact, for it was known by every man conversant in business, that the general shipments are of the coarsest and heaviest goods, and those for home are the finest and lightest. After such statements, what faith could be put in the representations of the right hon. Gentleman? He would not impute to him a design to mislead the House, but rather to error, however unwarrantable such error may appear; but be the cause what it may, he should, after this, have very little reliance on the authority of the right hon. Gentleman; and having pointed out those errors, he did not feel it necessary to enter into details to expose further inaccuracies. The right hon. Gentleman had represented him (Alderman Waithman) as having stated, that our foreign trade was the bane of the country—he would appeal to the House, and call upon any hon. Member, to say whether any thing of the kind had ever fallen from him. No one was more sensible of its importance. What he had said was, that the measures of reciprocity and free trade, as they were called, of the right hon. Gentleman were wholly inapplicable to the state and circumstances of the country; that its internal trade and prosperity had been sacrificed for the alleged purpose of increasing our foreign trade; and that since those measures had come into operation, so far from having promoted our foreign trade, as the House had been confidently assured they would, it had rapidly declined, and had actually fallen off in real value, not merely compared with the official, but as compared with the real amount for a long series of former years, to the extent of several millions a year, and which he now pledged himself would clearly appear whenever those accounts for which he had moved should be laid before the House. There could, he maintained, be no free trade without an equivalent; this was the principle which Mr. Pitt, Mr. Fox, and all the great statesmen of that day maintained, as might be seen by a reference to the discussions that took place upon the commercial treaty with France—this was the sound and rational principle by which the Legislature should be guided, however it might be exploded by the philosophy of the present day. This country had only its labour to exchange for the productions of other nations, and that labour was taxed in various ways to the extent of seventy-five per cent; how was it then to contend against the untaxed labour of foreigners by the 'free trade' or 'reciprocity system,' as it was erroneous called of the right hon. Gentleman; a tide of foreign manufactures were let in to inundate our home market and drive out our own labour, while foreign nations prohibited our manufactures, and thus, under the name of 'reciprocity' and 'free trade,' a deep and grievous injury was inflicted upon the trade and manufactures of the country, and its starving weavers and artizans, thousands of whom were driven by poverty and distress to commit crimes to support existence. Nothing in his mind could be more visionary and dangerous than those projects. They had all, no doubt, read that excellent and well-authenticated history, entitled, "The Life and Opinions of Tristram Shandy, Gent.;" in that excellent work it appears that Mr. Walter Shandy, the father of Tristram, was a deep and subtle philosopher—he had his theories. In the course of his profound researches into all the depths and mysteries of science, he discovered that for four thousand years the world had been in egregious error, and that our forefathers had obstinately persisted, during those dark ages, in the absurd and perilous practice of bringing children into the world the wrong end foremost, to which erroneous conduct he attributed many, if not most, of the evils of human life; he was the founder of the theory called the Shandean system. Now the right hon. Gentleman had his theories, some of them not quite so rational, and had formed his system. He, like Mr. Shandy, had discovered that all who had gone before him had been wrong, and exploded all those doctrines and principles upon which our ancestors erroneously imagined the wealth and prosperity of the nation were founded; but, unlike Mr. Shandy, he would not abandon his projects, but, regardless of consequences, would persist in his experiments, whatever danger might ensue, and in defiance even of his own former principles and opinions. He had formerly contended for protection for landowners; had said rents could not be reduced, prices could not be lowered, bread could not be cheaper with the present taxation: he is now beating down prices, for a reduction of rents, low profits and low wages; but he could not better exhibit the inconsistency of the right hon. Gentleman than by letting him speak for himself; he would therefore beg to read his own words from a speech he delivered some time since, when a committee was moved for upon the Corn-laws (June 6, 1814): then, indeed, he thought the complaints of the petitioners should be inquired into, but now no such inquiry must be granted. The right hon. Gentleman had spoken then as follows:—"With respect to the encouragement which ought to be afforded to the farmer, it should be considered, that there was now a great diminution in the value of money; and that the capital necessary for carrying on of farming operations must now be double to what it was before the war. The noble Lord (Lord A. Hamilton) deceived himself, therefore, if he thought that things could return to what they were before the war. This was one of the most dangerous errors which could be entertained. What was like to be the permanent charge of this country, now that the war was at an end? The whole expenses of this country, including all our establishments before the war, only amounted to sixteen millions. * * * * * * * * Would this produce no alteration in the money value of articles? When Gentlemen talked of the increased price of bread, was not every thing else raised in proportion, and that not in consequence of the high price of bread, but the amount of taxation? It was impossible for the country to return to the prices before the war. It had been said, that the obvious remedy was to lower rents. He had not the good fortune to be a landholder, and he had no interest but that of the public in general in view. The proportion of the gross proceed of land which now came to the landlord, however it might be represented in money, was now much less than what it was in 1792. Previous to the war, in a farm of moderate extent, the farmer considered himself requited if he made three rents from it. But it was necessary in the case of such a farm now, that the farmer should make at least five rents to be enabled to go on. If even the whole rental of the country were remitted, it would be impossible to return to the prices before the war. He was not afraid to declare that the people of this country must not expect, be the law what it may, that, with our burthens, the price of bread can ever be less than double what it was before the war."* Such were the opinions of the right hon. Gentleman at that time, which he would have him to reconcile with those he had more recently advanced, and to the measures he had since introduced. He (Alderman Waithman) would repeat, that he believed, that however other circumstances might in some degree have operated, that the present distress and difficulty under which the country laboured, had chiefly arisen from unjust and erroneous legislation, and that it was in the power, and was the duty of Parliament, to apply such remedies as would in a great measure remove them; and that the House could not, without a dereliction of duty, shut out the petitions of the people, and refuse to inquire into their grievances.

Mr. *Fyler* felt called on to make a few observations, in consequence of what had fallen from the honourable Members for Bramber and Liverpool. Of his own knowledge he could say, that the Silk Trade was in a most deplorable state, and that the suffering of the people was great. He considered too that it was a great aggravation of the public distress to have honourable Gentlemen get up and endeavour to fritter it away. The Silk Trade, which was a most important branch of the commerce of the country, was in great distress, and the necessity of relieving it would be manifested when it was considered that half a million of persons were employed in it. The right hon. Gentleman opposite had talked of that trade as a new creation; but if it were so, it was a branch of industry that had been most rapidly increasing for fifteen years preceding that in which the right hon. Gentleman's measures had been adopted. Since they had come into operation there had been a great reduction in it—a reduction amounting, since 1828, to 20 per cent, and since 1827, to 30 per cent. It was true that lower prices would alone enable us to compete with foreigners; but how were people to go on with prices lower than they were at present? If he were called on to state what were the causes of the present depression of the manufacturing interest, he should not say that it was entirely owing to the late measures, but partly to them, and partly to the position in which the country stood at the end of the war.

[The call for Mr. Peel becoming general, the right hon. Gentleman rose, but Mr. Bramston (a new Member) having risen at the same moment, Mr. Peel gave way.]

Mr. *Bramston* proceeded to say, that a very few days had elapsed since he had the honour to be returned to the House for a large and important agricultural county, whence he came convinced of the reality and prevalence of distress—distress, not indeed universal, but by far too abundant. He had entered these walls an advocate of inquiry; but, after listening patiently to the arguments offered for it during three nights, he felt his desire for inquiry arrested by the state at which the discussion had arrived. He found that two objects which a committee, if appointed, would have to take into consideration would be, the state of the currency and taxation. As to the currency, even if the principle acted on by the House in 1819 were an erroneous one (which he did not admit), it appeared to him, that in the present state of things, and after a lapse of eleven years, we should only run the risk of encountering still greater evils by abandoning the present and recurring to the former system.

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* See Hansard's Parl. Deb. vol. xxvii. p. 1096.

One of his objections to a return to a paper currency was, that it would tend to raise the price of the necessaries of life—the produce of the soil: and although there might be an apparent advantage to the agricultural classes in such an advance, Gentlemen must not shut their eyes to the fact that it would be inconvenient and unpalatable to the community at large: and as to the interest of the agricultural classes themselves, if corn were permitted to rise in price, it would lead to so large an importation of foreign grain, under our present system, as ultimately to injure the home-grower. With regard to taxation, he felt disposed to place confidence in the statements made by the Chancellor of the Exchequer on Monday last, in reference to the financial condition of the country; and believing that a revision of taxes would be carried by Ministers as far as prudence could justify, he was content to leave the matter in their hands. But if it were considered desirable to carry reduction of taxation further, there were other means of effecting that great object besides referring it to a Select Committee. It had been stated that there was already a notice of motion for a repeal of the Malt-tax upon the votes, and if any other measure of a similar nature were desired, let some hon. Member bring it forward in a distinct and substantive form, when, no doubt, it would receive proper attention. He thought that the efforts of a committee must be unavailing, either to elicit information, or recommend measures on those points which it was proposed to refer to the Committee moved for by the hon. Member for Shaftesbury, and therefore he could not vote for its appointment.

Mr. *Lockhart* was much astonished at the declaration made by the hon. Member who had just sat down—that he had entered the House the advocate of inquiry, but was now opposed to it. With regard to these debates, he did not look at them as argumentative, but as evidential; and the evidence they afforded was, that distress existed to a great extent. Under these circumstances, the House ought not to abdicate its right of inquiry, especially since the distress appeared to arise from a new combination of social circumstances, before unknown. They might not be able to reduce taxation, but the right hon. Member for Liverpool had admitted that there might be a new arrangement of the taxes. There was now a suction upon the productive industry of one class, from whose pockets money was taken, to be put into the pockets of others, who were a mere *caput mortuum* for all purposes but their own existence. It was said that the country was improving. If so, the inquiry would be the easier; and on every ground he should support the Motion for a committee.

Mr. *W. Horton* said, that the committee he had proposed, to inquire into the subject of colonization, had been refused, on the ground that the inquiries involved were too extensive—an objection which he thought peculiarly applicable to the present Motion. There were already committees appointed to inquire into the state of the poor in Ireland, and into several other circumstances connected with the national distress, which made the hon. Member's Motion of less utility, and therefore he should certainly vote against it.

Mr. *Attwood* said, the House were not called on to inquire now what were the causes of the present distress, and the speech of the right hon. Member for Liverpool had, therefore, been out of place—it would have been more appropriate in the Committee. The question was, whether there did exist such a degree of distress and suffering as demanded the attention of the House. He should have preferred a Committee of the whole House, and to have had evidence given at the Bar, as more suitable to the magnitude of the occasion. He would take the state of the country from the speeches of those from whom he differed. He would take it even in the mitigated language used in the Speech from the Throne, and of which the President of the Board of Trade had told them he had the confirmation in his pocket. If what that right hon. Gentleman produced to this purpose was to be called confirmation, never was any so unworthy of the original document. The right hon. Gentleman said, that he had received letters which had been sent him from different parts to inform him that the King's statement of the condition of the country was correct, although that statement was in direct opposition to the voice of the people. If the Ministers thought that there was but a trifling amount of distress, he thought the patient attention with which the House had listened to these discussions must have convinced them of their error. The proposed Committee was objected to, because it was so extensive in its nature that the Corn-laws must form one of the subjects of inquiry.

Were they not inquired into among the people, and were not the people divided on that question? He must quarrel with the speech of the hon. Member for London (Mr. Ward), who had given them only half of his opinion. That hon. Gentleman had said that rents must fall one-half, but he had not told the House the reason why they must fall. He would supply that deficiency—the fall arose from the alteration of the standard of value. The late bill had, in fact, fixed the amount of the value of wheat at 40*s.* or 50*s.* a quarter. The hon. Gentleman must know that the landed interests of this country were under engagements from which the monied men were free; and he ought to know that a fall of one-half in their rents would occasion the destruction of the landed proprietors. He would not say whether the measure of diminishing the standard of value was necessary or not; but he would assert, that as far as the landed proprietors were concerned, it was a direct confiscation of one-half of their property, and that a formal confiscation of one-half would not produce a more complete effect. The rate of interest of money had been stated as a proof of improvement in the country, but he begged to deny that the rate of interest in the London market was any criterion of the rate of interest elsewhere, governed as it was in London by Stock speculations, and a variety of other circumstances, which left its exchanges without any known rule by which they were guided. The conduct of Government respecting the currency had operated as a confiscation of the property of the landed man for the benefit of the monied man. The right hon. Member for Liverpool had contended that the question was too mighty and too extensive for inquiry by the House of Commons; but did it become the representatives of the suffering people to occupy themselves only in imposing taxes and voting supplies, until ruin became inevitable, and from one end to the other, the country only exhibited the spectacle of a struggle for the spoil. Another right hon. Gentleman (Mr. Herries) in the course of his speech, had quoted private letters, but it would have been far better if he had referred to the petitions of the people from Glasgow, Birmingham, Renfrew, and many other parts of the kingdom. He had said at the time that the contents of those letters would be heard with satisfaction by the House: the only satisfaction he (Mr. Attwood) had derived from them, was a conviction that the whole theory of the other right hon. Gentleman was fallacious. In their petitions the people not only expressed great distress but great distrust: they demanded a reform of Parliament, and let it not be forgotten that that demand no longer came from a decided minority. The objection formerly was to the original constitution of the House of Commons, and to this the triumphant and conclusive answer was, that although imperfect in construction, it was perfect in practice. Now, however, that reply was inapplicable, for the character of the House of Commons was changed: it no longer dealt with the interests of the people for the benefit of the people, and the disposition of the people was to deal with the House as it dealt with them. The 658 Members of which it was composed were, no doubt, respectable in their private capacities—sufficient in eloquence, and earnest in midnight debate; but the people felt, and did not scruple to assert, that in their collective capacity they were incompetent, corrupt, and partial, and negligent of their important functions of guarding and preserving the national welfare. He could very well account for the reluctance of the right hon. Member for Liverpool to enter into inquiry. He had said that for the last thirty years he had been more or less engaged in the transactions of the country, but he had forgotten to add that he had only influenced its councils during the decline of its prosperity. *Quorum magna pars fui*, he might well claim to be during the whole period of calamity, but his connection with public affairs was evidently slight during the period of prosperity. It did not, however, become the House of Commons to take its notion of the real condition of the people from any individual. The Representatives of the people ought to communicate their deliberate opinions to the Ministers of the Crown. At this moment an important crisis was hanging over the country—not commercial, but financial and political; and no more fatal error could be indulged than that the Government should be guided by individual views and partial interests. The only salutary course was pointed out by experience, and upon this point the right hon. Gentleman had reminded the House of the tremendous difficulties with which the country had had to struggle at former periods. He had talked of the Mutiny in the Navy, of the Rebellion in Ireland, and America rising in monstrous and unnatural arms. In those struggles, however, the strength and resources of the country had been more than equal to the claims upon them, and the result was triumphant. What was the contrast at this moment? After a long continuance of peace, when the people hoped for ease and relaxation, and for a reduction of their burthens—those burthens, under the pretence of diminution, had been insidiously and most onerously increased. Then it was, that the strength of the country began to break down—that its resources began to fail, until it was reduced to a condition so deplorable, that it was contended that Parliament, in the exercise of its great functions, could afford no relief. Nevertheless, he called upon the House of Commons to discharge its most important duty—to exert its deliberate wisdom—to vindicate its ancient character—and to endeavour to discover, by inquiry, what was that mysterious power which blasted the efforts of industry, deprived labour of its just reward, and peace of all the blessings by which it ought to be accompanied. Let it ascertain what had rendered this country, once the awful safeguard of Europe, now its scorn and opprobrium—a by-word for weakness and vacillation. It was the first duty of the House, without a moment's delay, to commence the investigation, and to learn and proclaim to the people the real causes of their sufferings. The most ridiculous attempts had been made to account for the disastrous change, and the bad harvests of 1821 and 1829 had been mentioned, as if a frost or a south-west wind were capable of effecting the ruin of a nation. Would the thrice-told tale of over-population again be revived? Or would it be contended, that the introduction of machinery had produced calamity, and that it was fit to introduce some new law to limit the employment of the steam engine? Was the notion again to be broached, that bad bankers had destroyed the country? Or were they now to be called upon by the issue of notes to retrieve the nation they had before ruined? It was quite clear that the Branch Banks had not answered the purpose for which they were established; and now, perhaps, resort was to be had to Joint Stock Banks, although it had been formerly argued that the panic of 1825 had been produced by Joint Stock Companies. In this hour of distress, unexampled in our time, he begged to recall the attention of the House to what had been its conduct during the last few years. It had been engaged, among other things, in establishing a system of free trade; and what had been the consequence? That it was rejected by all the other nations of the world, and that Great Britain had rendered herself the common laughing-stock of the civilized world. Next Parliament had employed itself in tampering with the monetary system, so delicate and sympathetic that it shrunk from the slightest touch of the hand of Government. The currency had been subjected to incessant and eternal change, until not only a new material but a new value had been substituted. The object had been to give what was called a wholesome circulating medium, and yet let the House remember, that at that moment was given the last finishing stroke to the ruin of the country, and all classes were involved in the general calamity. The right hon. Gentleman had stated that distress existed in foreign countries; and if that were the fact, it was the duty of those governments to inquire and to remedy. It was impossible that Great Britain could be in her present condition of poverty and misery without producing an injurious effect upon other nations: it must be felt in America, India, China, and in almost every corner of the universal globe. At that late hour, and after the ample discussion the question had already undergone, he would only, in conclusion, call upon the House to bear in mind, that in the midst of the triumphant majorities which carried the question of the change in the currency, there were found men of deep and long experience, and of great sagacity, who did not concur in the policy and justice of that change—who warned Government of the dangers to which it was about to expose the country, and reminded it of the debt of eight hundred millions contracted in paper, and which, according to the pending measures, was to be repaid in gold. These individuals, whose opinions were then rejected and ridiculed, had anticipated, even in some of their minutest details, the calamaties by which the country had since been visited; and he could not look back to the prophecies of those men, and to the progress of those calamities, without some feeling of satisfaction, however melancholy, because they afforded decisive proof that the prevailing evils arose from artificial causes, and not from natural necessity—though appalling, they were vincible; and as they had arisen from legislation, by legislation they might be remedied. Looking to the past, he could not persuade himself that the House would refuse inquiry, or that Ministers would take upon themselves the tremendous responsibility of recommending and enforcing that refusal; and if an inquiry were instituted, he pledged himself to prove that the existing distresses were susceptible of remedial measures, not only involving no breach of public faith or national honour, but tending directly to the preservation of both, as well as to the restoration of the country to its once envied power and prosperity.

Mr. *Peel* felt the full force of the observations of the honourable Mover, on the importance and extent of the inquiry; and he agreed, also, that each branch of the subject demanded the most patient investigation. Of the various topics introduced by the hon. Baronet, the Member for Cornwall (Sir R. Vyvyan), there was one which he (Mr. Peel) begged altogether to exclude —he meant the reference made by the hon. Baronet to party considerations. He declined following him upon that point, because he was anxious to enter upon the consideration of the sufferings of the people, without that temper of mind which party questions were likely to produce. In steering his course through the crowded chart of facts and arguments adduced, he felt the want of a meridian line by which he could be directed, and perhaps, therefore, it would be better for him to pursue the track of those who had preceded him in debate. Acting then upon that view of the question, he had not the slightest hesitation in urging that it was the imperative duty of the Legislature to review all the means calculated to mitigate the existing sufferings of the country—taking especial care that they adopted none which were not perfectly compatible with the real and permanent interests of the whole community. Deeply lamenting, as he did, and as no man in the country of just feelings could help doing, the existence of the public distress, which he admitted to exist, though not in the degree, and to the extent which some hon. Gentlemen asserted—deeply lamenting, he repeated, the existence of that distress, he was most anxious to do all that could be done for its mitigation. He once more repeated, that admitting its existence, he most decidedly differed from hon. Members, as to the nature and causes of that distress. But before he proceeded with any more general observations on that point, he wished to call the attention of the House to a statement made by his right hon. friend, the Member for Liverpool, a speech, as able as it was candid, and the temper and moderation of which he should be proud to imitate; the statement to which he alluded was respecting the Savings Banks; the deposits made in them, and the degree in which those deposits might be supposed to indicate the nature and extent of the prevailing distress—which, if the statements of his right hon. friend were borne out by the facts, must be considered a degree of distress universal and overwhelming. He stated that the deposits in the Savings' Banks had materially diminished in the year 1829, as compared with the year 1828. In 1828 the deposits amounted to 945,000*l.*, and the sums withdrawn amounted to 678,000*l.* In 1829, the deposits were 449,000*l.*, and the sums withdrawn amounted to 1,445,000*l.*, and these facts his right hon. friend regarded as a conclusive evidence of general distress. Now could the facts not be accounted for in a manner the most complete and perfect, he should certainly agree in the conclusion which had been drawn from that statement. But he should have no difficulty in satisfying his right hon. friend that those circumstances did by no means warrant such an inference, or furnish the degree of proof sufficient to sustain the alarming position for which his right hon. friend contended. It would afford him also, he was sure, sincere pleasure to hear the satisfactory answer which might be given to that argument; and as the House must feel a deep interest in any thing so materially affecting the condition of the poorer classes, he begged that it would grant him some indulgence while he entered into the detail of the subject. In the year 1828 a law was passed, the operation of which had a most material bearing upon the deposits in the Savings' Banks; and that law was quite sufficient to account for the disproportion between the deposits and withdrawals of the one year and the other; namely, 1828 and 1829. The operation of that law commenced in November, 1828. Previous to that time the interest allowed at Savings' Banks was three-pence per diem, being

4*l.* 11*s.* 3*d.* annually. In November, 1828, the dates of the statements he spoke of commenced, and it would be found that the period at which the diminution began exactly coincided with the time when that law came into operation. The interest on deposits was changed from 3*d.* to 2¼*d.*; and it was further enacted, that in one year the amount of deposits should not exceed 30*l.* from each individual; and that when the deposits, interest, and principal should amount to 200*l.* from that time forward all interest should cease. It must be obvious to the House, that the immediate effect of such a law must be, that considerable sums would be withdrawn from those establishments. He was sure his right hon. friend would be glad to hear that the persons making small deposits in 1829 were much more numerous than those making small deposits in 1828. He had lately obtained returns of the number of deposits in and near the metropolis, and in other parts of the country, distinguishing those who had deposited under 20*l.* and above it; those who had deposited 50*l.* and under 100*l.*; above 100*l.* and under 150*l.*; above 150*l.* and under 200*l.* He found from the return, that in 1828 the number whose deposits amounted to above 20*l.* was 2,273, and in 1829 they were reduced to 1,850; but in the latter year the number of deposits under 20*l.* had most materially increased, so much so, that the total number of one year was upwards of 4,000 above the other. In 1828 the total numbers were 66,240, while in 1829 the numbers were 70,150. He should make no apology for occupying so much of the time and attention of the House in details so minute, for he was assured that they could not fail to feel that deep interest in anything affecting the labouring classes which their condition called for, and which at all times the House of Commons was forward to manifest. This subject was one on which much stress had been laid by his right hon. friend, and from which, he was sure, when the real state of the case was known, his right hon. friend and the House would draw a different conclusion from that to which he had come. He would therefore state to the House the names of some of the places in which an increase of the deposits of the sums last mentioned had taken place, and he would do this to show that the improvement of which he took it to be a proof was not confined to one town, or one district of the country. He had returns from Liverpool, Norwich, Panton-street Haymarket, Shrewsbury, Sheffield, Southampton, Truro, Warwick, Worcester, Exeter, and Leeds, and in every one of those places the number of depositors under 20*l.* had increased. Hence it was evident that the inference of his right hon. friend had no foundation —for the total increase of 1829 over 1828 was 4,000 depositors, and the diminution in the amount of deposits was fully accounted for by the law of which he had just spoken. No man could feel more strongly than he felt the imperative necessity which then existed of consulting the interests of the labouring classes, and no man could approach the consideration of those interests with a more earnest desire to promote them than he should. He thought it one of the first duties of the legislature to do all in its power to excite a taste in the humbler classes of society for those comforts and those enjoyments—those luxuries, he might add—of civilized society, the desire for which, and the habitual possession of which, would form the best guarantee for their good conduct, and the best guarantee that the higher classes could have for the possession of their property and their power, as at present enjoyed. It was urged, and with perfect justice, that the remission of taxes was amongst the means by which that most desirable object could be chiefly effected; and he would ask, had not the Government of the King proposed the remission of taxes to a great amount? The noble Lord opposite (the Member for Northampton) had given his Majesty's Government credit for the selection of taxes which they made for the purposes of repeal—for having made that selection more with a view to the real interests and necessities of the people, than to anything which might promote the influence of their own Administration in that or the other House of Parliament. That was testimony of a satisfactory kind, and upon which he set considerable value; but the facts spoke for themselves. Their best vindication would be found in a reference to the taxes actually repealed. His right honourable friend seemed to recommend a more extensive commutation than had yet been thought of, and the levy of taxes too, on something else, in lieu of what, for the relief of industry, might be repealed. The House could not fail to observe, that his right honourable friend most skilfully avoided the enunciation of what that something else was to be; but his drift was not to be concealed. The House might naturally suppose that amongst the various subjects connected with the finances of the country, which had occupied the attention of Government, the question of a Property-tax had not escaped them; it was one of those that they had most seriously mooted. It was a question which, if they had not most maturely deliberated on, they should ill have discharged their duty as exercising the executive power of the State. They had most attentively considered the bearing of such a tax as affecting the commercial, the professional, and the landed incomes of the country; and also the question, if such a tax were resolved upon, what might be the effect of confining it to the landed incomes, and excluding the other two classes. After those mature deliberations, then, the conclusion at which they arrived was, that they should best discharge the duty they owed the country, by repealing this year 3,400,000*l*. of taxes—that was the measure which to their minds appeared best calculated, in the way of reduced taxation at least, to relieve the necessities of the people. In doing that, however, and in making these observations, he begged to be understood as giving no pledge upon the subject of a Property-tax, or making no assertion with respect to it one way or the other—standing in the situation in which he did, it would be extremely injudicious in him to restrict himself by any pledges whatever on either side. The course which they had adopted pretty plainly proved that they had not resolved upon submitting to Parliament any proposition for a Property-tax. Another subject which had been touched upon by his right hon. friend was the system of Banking, and what might be done with a view to its improvement. This also was a topic which he thought could not be adverted to by him with too great care and delicacy. He was not one of those who under-rated the value of the important services which bankers rendered to the country. Indeed, in looking to the utility of the whole as a body, he thought they were too apt to overlook the general advantage derived from them, and to dwell on individual cases of abuse. He, however, was not of this number, and he did hope that it might be possible, in any improvements that might be made in the system, to reconcile the interests of the body to which he alluded with those of the public. Upon the nature of any improvements that might be made in the system, he was not then disposed to enter; but he must say, that to throw open the Banking System to every adventurer,—to consent to the establishment of Joint Stock Banking Companies, with only a limited responsibility, while the responsibility of the private banker extended to his entire property, were measures which ought to be considered with great caution. He would now approach some of the remarks made by the hon. Member who last addressed the House, and he must own that the speech of the hon. Member confirmed him in what he had all along feared,—that whatever might be the views of the hon. Member who brought forward this Motion, those of very many by whom it was likely to be supported would be directed to some inquiry, which would go to a revision of our Currency system, and also to that of Free Trade. If he might take the hon. Member's speech as an indication of the general intentions in this respect, there could be no doubt on the subject; and he was glad of it, for he did hope that their discussion of that night would put an end to the Currency Question. He knew the hon. Member could agitate it again and again, if he pleased, but he was willing to believe that this, the seventh or eighth decision of the House upon it, would put an end to all further doubts upon the subject, and that they would now debate it for the last time, by showing that it was their firm determination to adhere to the system already adopted with respect to our currency. But the hon. Member (Mr. Attwood) asked with great force of declamatory eloquence, "Will you abdicate the functions of Parliament by refusing to enter into an inquiry on a question so important to the country?" He (Mr. Peel) would answer, Yes. Parliament had now discussed the question so frequently and so fully, that Members were already in possession of every thing which could be known respecting it. Did the hon. Member, by the proposed inquiry, mean that the standard of value should be altered, or was there any great error which he would wish to have corrected in the measure of 1819? If he did, he hoped the House would now pronounce its opinion upon both points. As the author, in a great degree, of the measure of 1819, he begged the House would indulge him while he offered a few remarks in support of its principle, and the more particularly as he trusted they were now discussing the question for the last time. The two questions he would ask the hon. Member were—had there been an error committed in the measure of 1819, and in what way were they to correct that error? Let the House bear in mind that ten years were now elapsed since the adoption of that measure, which had since been farther confirmed by repeated decisions of that House. Upon that adoption, and its subsequent confirmation, a variety of contracts, mortgages, and other pecuniary engagements, had been entered into, on the faith that the measures of Parliament would be strictly persevered in. He asked, then, was it advisable that the whole of those engagements should be given up?—that the faith of Parliament, pledged for the measures in which they were founded, should be broken? But what course would the hon. Member take? Would he have a paper currency convertible into gold? Would he alter the standard of value, or would he have an inconvertible paper currency? If any one of those were the measure he would point out, and to some of which in his own declamatory mood, he had alluded, why should not he, who knew so much on the subject, provoke a discussion by the introduction of a short bill? A single sheet of paper would contain a bill for any of those objects: why then not introduce it at once? But as the hon. Member had shrunk from such discussion, he would not then enter minutely into it, but would make a few observations on the facts brought forward by the hon. Member. The hon. Member stated, that we had 800,000,000*l.* of debt, which had been contracted for in a currency depreciated more than twenty per cent below that in which it was to be paid. But if the hon. Member looked to the real facts of the case, he would find that this was not so. Let him consider that a large portion of this debt was contracted in a currency nearly as high as that in which the public creditor was now paid. But suppose the public creditor was to be paid only in the currency in which the debt was contracted, he would ask the hon. Member to discriminate who were the parties to whom the depreciated rate of payment was to be made? A great majority of the original contractors had passed away, and since 1816 a vast portion of the public funds had got into the hands of persons who did not pay for it in a depreciated, but in an improved currency;—not in the value which the hon. Member would set upon it, but in the improved mercantile value. Surely the hon. Member would not turn round on those parties and say to them, "you must be the dupes of your confidence in the resolutions of Parliament, which state that faith should be kept inviolable with the public creditor!" When the hon. Member deducted from this 800,000,000*l.* the amount standing in the names of those who purchased at a rate nearly equal to the present value, and those who had since purchased at a full value, he would find that this sum would be reduced to a very small amount indeed. He would now come to the alteration in the standard of value. It had now existed for eleven years, and under it a variety of contracts and obligations had been entered into. Would it not, then, he would ask, be a greater evil to depart from the system, than to persist in it as it is? If the hon. Member thought not, he would again tell him that his best mode of bringing the question to an issue would be to introduce a measure by which he might show, if it could be shown, that no inconvenience would result from the alteration. Referring again to the Bill of 1819, however unpopular the assertion, or to whatever degree of obloquy it might subject him, he would affirm that the introduction of that bill was no error. No doubt many hon. Members then in the House, who had taken an active share in the discussion of that measure, would be ready to relieve him from any degree of personal responsibility attached to it, by stating that it was one in which they also had joined. Indeed, when he mentioned that it was a measure that had been sanctioned by the legislature, he might relieve himself from all equitable or legal responsibility. But without sheltering himself under that, he would then contend, that in that measure Parliament had pursued the wisest and safest course for the welfare of the country, and nothing could be more grossly incorrect than the assertion that it was not so. It was said, that this change in the currency had depreciated the value of commodities more than twenty per cent, and in fact every degree of distress, every depression of trade, every panic or commercial revulsion that had since occurred, had been attributed to that bill. Now it might not be unimportant to ask whether there had been no convulsions, no panics, no depression, before it became a law? Let him beg of the hon. Member to consider what had taken place in 1793, just at the commencement of the war. What was the situation of the country in 1797, when we had restricted the issue of gold, and had substituted a paper currency? What was the state of the country in 1810, when there was not even a whisper of intention to return to cash payments? Why, in that very year, a committee was appointed to inquire into the distress, and it reported that credit had been destroyed in the country, that many of the commercial transactions of the country were carried on at a loss of from sixty to seventy per cent, that a number of manufacturers continued their men in employment only to afford them a precarious subsistence, and to prevent the injury to their machinery which inaction occasioned. Every symptom of the country at that time was much worse than at present, and yet there was then no appearance of a return to payments in gold. He would next direct the attention of the House to the year 1816, and he begged, in doing so, to remind the hon. Member for Essex, that he then brought forward a resolution affirming that agriculture was, at that period, in a state of very great distress. He did not know whether the hon. Member had lately referred to the able speech which he then delivered on the causes of the distress, or whether, if he had, he might not think that the different circumstances of the country since then would be a just ground for having altered his opinion. In that speech, the hon. Member attributed the agricultural distress to a fall of prices, and he argued very powerfully to show, that an inconvertible paper currency would have a prejudicial effect on the value of the produce of home tillage. The hon. Member had also then argued that a paper currency was the effect, and not, as it had been since asserted, the cause of high prices. He (Mr. Peel) was willing to admit, that at the time when the hon. Member made his speech, the Bank of England had given some intimation of returning to cash payments. This induced him to revert to another point connected with the subject—namely, the decline in prices. He would admit, that great distress was occasioned by that decline, but he did not believe that one tenth of that distress could be fairly attributed to the resumption of cash payments. While he was on this point, he begged to say one or two words to rescue the memory of the late Mr. Ricardo from an imputation which had been unjustly cast upon it. Mr. Ricardo was stated to have said that, the differences between the prices before and after the resumption of cash payments was only from three to four per cent. Now Mr. Ricardo said no such thing. What he did say was—that the great difference between prices before and after the resumption of cash payments was a difference—he (Mr. Peel) did not know at what amount Mr. Ricardo stated it—not referable to the change of currency, but referable to the change from war to peace; but he said that the amount of reduction of price in consequence of a return from paper to gold was not more than from three to four per cent. Now, when he (Mr. Peel) admitted that a great change took place in prices after the resumption of cash payments, he must look to other causes for that change. Let him refer to the war, which was of thirty years' duration, and let him look at the prices to which all articles were raised during that war, and he would ask whether it would be possible, under any system of currency, to have kept up these prices in time of peace. To the return, therefore, from war to peace must be attributed the difference of prices, and not to any change in the currency. Now, going to the period of the French war, which he would not stop then to defend, he would only say, that in his opinion—and he agreed with an hon. baronet who said it was a war for the support of existing institutions—that it had tended to promote the (he hoped) permanent settlement of Europe. Now, if he divided that war into two periods of fourteen years, in the first of these, the expenditure of the country exceeded its revenue by 189,000,000*l.* In the second period, the excess of expenditure above revenue was 236,000,000*l.*, making an excess in the two periods of 425,000,000*l.* After such an extraordinary expenditure as that, could it be expected, he would ask, that the country should resume its ordinary condition without great depression, and whether the same high prices could be continued as in war? It was with a nation as with an individual: if he had, for some cause, whether necessary for his credit or not, made a large anticipation of his income, he could not return to his former condition without great weakness being apparent in his resources. Another cause of this great difference in prices was, that by the system which Napoleon obliged us to adopt with respect to our colonies, we became possessed of the monopoly of the trade of Europe, and of course that monopoly raised the price of every article here, and of the value of the labour expended in its production. That system was now at an end, and of course the high prices ended with it. It had been repeatedly said, that the transition from a state of war to one of peace ought to have been over before this; but no mistake could be greater than that under which those persons laboured who entertained such an opinion. They should have recollected that it was not possible for countries on the continent of Europe to enter all at once into a competition with England, the seeds of manufacturing industry were so completely blighted every where amongst them by the long continuance of hostilities. In fact, immediately after the cessation of the war, our manufactures received an impetus rather than a depression; but gradually, as continental industry resumed its tone, we were driven to the necessity of struggling to maintain that pre-eminence which we had before uninterruptedly enjoyed. And who could now shut his eyes to the conviction that we should be obliged and compelled to regulate our prices by theirs, if peace continued and capital increased in the hands of our competitors, and machinery should be introduced amongst them, which we, even if that were desirous, had it not in our power to prevent? We should be obliged, he repeated, to regulate our prices by existing circumstances, altered as they were to our prejudice, and to abandon those which we could exact in the days of our monopoly during the war. Was it fair, then, to load the authors of the Bill of 1819—he could not say with calumnies, because no personal charges had been made against him, but—with accusations of being the causes of evil which was referable to circumstances over which neither they, nor Parliament itself, could have any possible control? Even from the battle of Leipsic, from the first symptoms of the downfall of Napoleon's power, the real causes began to operate; nor were they long in operation before they exhibited their effects. It would be found, by a reference to dates, that the fall in the price of wheat, for example, was not coincident with changes in the circulation. On June 1st, 1812, for example, the price of wheat in the country was 164*s*. per quarter; on the 1st of July it had fallen to 141*s*.; on June 1st, 1813, it was 113*s*.; on the 1st of November, 1814, it was 76*s*.; and on July 1st, 1815, the quarter of wheat which in the same month in 1812, had fetched 140*s*. was sold for 53*s*. This depression was not produced by any alteration in the currency, for no alteration took place. It arose from general causes, which were then coming into operation, and the effects of which still continued. On those subjects which, he regretted to say, were but little understood, hon. Members would derive much valuable information from a perusal of the many able works which had been published in order to put political men in possession of the facts and arguments necessary to a proper knowledge of what was allowed to be so important. But he more particularly alluded to the labours of Mr. Tooke, to whose abilities and information he was happy to have an opportunity of bearing testimony. No man felt sincerer or more cordial sympathy for the landed interest than he had always entertained. From political considerations alone he should deeply lament their permanent depression, as he thought it necessary to the welfare of the State, and the proper balance of society, that those who were possessed of incomes amounting to from 1,200*l*. to 1,500*l*. a-year should be upheld in their station, and it was at all times painful to his feelings to be a spectator of their depression or decline. After the restoration of the peace, however, it was unreasonable to expect that they could maintain the old prices which had existed in times so different from the present. There was one cause of the distress now complained of by agriculturists, which was certainly beyond legislative control, and which, at the same time, appeared to him to be greatly underrated — he meant the improvement in steam navigation and the mechanism of modern machinery, which suddenly brought the bad land of this country into competition with the richest land of Ireland and Scotland, which imported agricultural produce into England with a facility of conveyance unprecedented hitherto. A steam-vessel was incessantly employed in transporting the produce of the most fertile districts in the west of Ireland to Liverpool, whence it was as rapidly transmitted to Manchester, where the cargoes were immediately disposed of. In short, the effect of this introduction of Irish produce on the agricultural resources of England was precisely similar to that occasioned in the West-India islands by the annexation of the rich land of Demerara to the British Crown. The causes which he had mentioned would continue to operate, maugre all our anxiety to remove them or to neutralize their necessary effects. He had taken leave of the Currency Question, and did not intend again to resume it. The hon. Member opposite, he perceived, shook his head on his saying this; but he hoped that he would not shake it again during the Session, if the gesture was indicative of a resolution to bring the subject again under their consideration. In reply to those declaimers who had so vehemently condemned the bill of 1819, as ruinous to the country, he should not deal in counter-declamation, or answer their vague assertions and inconsequent conclusions by a similar mode of defence, but would rather confine himself to a few facts, which he submitted were quite sufficient to confute their misrepresentations. He had endeavoured to ascertain the bearing of this obnoxious measure in several of the large manufacturing districts, by inquiries into the condition of the population now, as compared with what it was at the period of its introduction. In the town of Manchester a very animated controversy, the House was probably informed, was at present going forward, as to whether the inhabitants were distressed or not; some contending that they were, and some that they were not; nor was it probable that the contest would ever know an end until circumstances should decide the question by their indisputable authority. He should, then, pass over Manchester, and likewise Liverpool and Leeds, as there were others better entitled by local knowledge to speak as to the existing state of those places than he could pretend to be, but he would select the fairest example, where he could meet the hon. Member on fair grounds, as he might himself be said to represent the district to which he alluded, and could contradict him in any statement he should advance if it was incorrect or erroneous. Birmingham was the part of England he would select; and he did so more particularly, as it was the nucleus of a certain political union, which had extended its ramifications elsewhere, originating in Birmingham, he presumed, on account of the pre-eminence of suffering among the inhabitants over their fellow sufferers in distress. Most willingly would he give the hon. Member his choice of a test or criterion of prosperity, and by his own selection he should abide. His object was, to compare the circumstances of the inhabitants in 1818 with those under which they were so loudly complaining in 1830, in order to ascertain how far the bill of 1819 had operated as a cause of their depression. And first as to the population. In the year 1818, there were 18,000 premises, including warehouses, in Birmingham; whereas, in 1828, it contained no less than 22,000 inhabited houses, exclusive of warehouses. The hon. Member's arguments went to prove that the alteration in the Currency had depressed the value of property, but he was assured that there was, nevertheless, in Birmingham, a great increase in its value since the bill had been introduced. Three acres in the neighbourhood of the town had been purchased in 1827 for 600*l*., which were since sold for 2,426*l*., and ground rents, where forty years remained unexpired, were disposed of at 100 years' purchase. Land which had been sold in 1826 at 3,500*l*., was bargained for in last November at 4,200*l*. The number of licensed traders amounted in 1820 to only 198, but might be estimated in 1829 so high as 1,150. Then with respect to the consumption of the luxuries of life, there was an increase in exactly the same ratio. The four-wheeled carriages which were charged with assessed taxes in 1819 were only 38; in 1822 they were 44; in 1824 they reached 94; in 1826 they amounted to 106; and in 1828 to 157. The hon. Member might say that four-wheeled-carriages were the vehicles of the rich, he would descend therefore to those of the poor: the number of two-wheeled-carriages in Birmingham in 1819 was 301; in 1822 321; in 1823 386; and in 1828 no less than 471; so that whether the House looked at the vehicles of the poor or those of the rich, the result was equally a proof that Birmingham had increased in prosperity since 1819. Horses which were charged assessed taxes in 1819 were in number 923; in 1822 they amounted to 791, but in 1823 and 1825, when the tax was taken off, there were no means of ascertaining the progressive increase. In 1828, however, they might amount to 977. The manufacturing activity, he thought, would be best estimated by the amount of tolls on the roads in the vicinity of Birmingham; and here also the same increase was manifest; for the tolls on the Holyhead, Stourbridge, and London roads had been let, in 1822, for 1,200*l.* a year; but in 1829 they brought 1,767*l.* The tolls on the Kidderminster-road, likewise, were let, in 1820, at 1,100*l.* a year; whereas in 1828, they were raised to 1,655*l.* The tolls on the Bromsgrove and Birmingham roads let in 1822, for 1,164*l.*; in 1824 for 1,556*l.* and in 1828 for 1,722*l.* A like increase took place in the item of canals. The custom on the Worcester and Birmingham canal, in 1821 and 1822, averaged at 100*l.*, and in 1828 and 1829, its relative prosperity was marked by the average of 165*l.*, making a difference of 65 per cent. The old Birmingham canal in 1821 and 1822, averaged at 93*l.* and in 1828 and 1829 at 105*l.* These facts, in his opinion, clearly established the conclusion, that the bill of 1819 had not been productive of that overwhelming distress which was described as the consequence of its operation. Touching the subject of that night's debate, which, after all, had no very considerable share in the discussion, he could not see what they were to do with the Motion of the hon. Member for Shaftesbury, who had proposed that the House should resolve itself into a Committee to consider of the causes of that general distress complained of in the petitions, and endeavour to devise a remedy for the same. On his asking the hon. Member, at a quarter to six, what was the precise motion which he intended to bring forward, the hon. Gentleman replied, that he was too old a soldier to give him any information upon the subject. The result, however, of a fortnight's deliberation, was a motion for a committee of the whole House, instead of a Select Committee, and he thought that the hon. Member had judiciously preferred framing his Motion as he had done. But the hon. Baronet, the Member for Shoreham, had certainly not treated him well. He had not paid the originator of the first Motion that deference and respect to which his zeal, assiduity, and long cogitation upon the subject had so deservedly entitled him. The Motion of the Member for Shaftesbury he considered by much the better of the two. If such distress as was described did in reality exist, it was greatly preferable that an inquiry should be conducted by a committee of the whole House, where all Members were on a fair equality, and where the public was thoroughly acquainted with their proceedings. But the hon. Baronet proposed the appointment of a committee of twenty-one Members, who were to sit and inquire by oral evidence into the extent and causes of the distress, and also to suggest a remedy. Was it possible (he put it to any dispassionate man) that such a committee, with such a subject before them, could present a satisfactory report during either this or the ensuing Session. He hoped that the House would reject both Motions, not because most of those who supported them would desire to have an alteration in the currency, but from a conviction, that if an inquiry of this nature were instituted, large classes in the country would immediately infer that a depreciation of the standard, or some measure affecting the currency, was contemplated. Certain indications of a return to prosperity were at present beginning to exhibit themselves, and he had received, no later than that very morning, letters from Manchester and Leeds, which induced him to believe that we had already reached the lowest point of depression. Hon. Members had observed, that we were entitled at this peculiar season to witness a revival of our manufactures, if the distress was not entirely irretrievable, and he concurred with them in thinking that the breaking up of the severe and long-continued frost ought to produce such an effect as they anticipated. But he feared the disease less than the remedy. The hapless fate of a patient under the joint superintendence of three physicians was adverted to in the progress of the debate, and he should entertain similar fears for the nation, whether submitted to the doctoring of 658 of the faculty, as proposed by one Gentleman, or to twenty-one as suggested by another. He did not like to trust the constitution of the country to either of those hon. Members, with their bundle of prescriptions, which only excited in him an involuntary shudder when they were produced. In refusing to assent to both propositions now submitted for their adoption, they were not abandoning their duty, but acting consistently with the true interests of those whom it was intended to relieve, shunning an inquiry which would only cause fruitless anxiety and excitement, and awaken hopes that were doomed to disappointment ere they were formed.

Sir *C. Wetherell* said, he was not a little surprised that nearly the whole speech of the right hon. Secretary was a defence of what was called his own bill, and that scarcely five minutes had been devoted by the right hon. Secretary to the discussion of the real practical question before the House. Nor had the hon. Member for Callington been behind him in steering from the subject. They had agreed in nothing but in going astray from the question under consideration. The hon. Member for Callington was *particeps criminis* with the right hon. Secretary in committing this offence against the proceedings of the House. The real question was, whether so much of agricultural and commercial distress prevailed in this country as would justify the House in instituting the proposed inquiry. The right hon. Secretary, and his Majesty's other Ministers said, that there was no distress at all. [*Cries of "No" from all parts of the House.*] [Mr. Secretary Peel said, he must beg the hon. Member's pardon: but his Majesty's Ministers said no such thing.] Well, then, the hon. Member for Bramber had said so, and the speeches of many other hon. Members had gone to the same extent. There were great contradictions on this point. The hon. Member for Bramber (Mr. Irving) said that, far from there being any distress at Coventry, the weavers there were as fresh as a bunch of their own ribands, while the hon. Member (Mr. Fyler) near him, who was in the habit of visiting these weavers, and shaking hands with them, said that their distress was great; and he was inclined to take the opinion of the hon. Member for Coventry in preference to that of the hon. Member for Bramber, who did not live at Coventry, but, he believed, in Richmond-terrace. Then, again, they were told by some hon. Members that there was no distress, or next to none, at Leeds; but in contradiction to such statements, they had the authority of an hon. Member whom he was afraid he should not describe correctly, he meant the able, the enlightened, the accomplished Member for Newark—able as a writer and as a reasoner,—striking in his eloquence,—well versed in ancient and modern learning, and accomplished in his mode of applying that learning. [*The loud and general burst of laughter which followed this sentence prevented our hearing whether the hon. and learned Member finished the encomium here.*] The authority of men like the worthy Member for Newark was at least better than the unopened budgets of the right hon. Secretary and the right hon. Master of the Mint. He meant to support the amendment for the appointment of a Select Committee. He thought that the country had a right to information by means of its Representatives; and he believed the best way, as well as the most usual and parliamentary way, of gaining that information, was to appoint a Select Committee. He rejected and repudiated the notion that those who voted for this Motion meant to disturb the present currency, and to substitute a paper currency. He meant no such thing; and to prevent this, and get rid of the objection on this account, let there be an instruction to the committee that they should not entertain the Currency Question. He begged to press upon the consideration of the House this mode of getting rid of the objection which induced the right hon. Secretary to oppose the Motion. A committee would at least obtain some valuable information for the House. The right hon. Secretary had alluded to several periods of distress subsequent to 1792, but in 1793 and in 1811, under the administration both of Mr. Pitt and Lord Liverpool, when distress prevailed, those Ministers proposed that committees should be appointed to inquire into the distress: with these illustrious examples before the right hon. Secretary, it was extraordinary that he should pursue a directly different course. Conceiving that the appointment of a Select Committee would be neither derogatory to the dignity of Ministers, nor imply a censure on them, while it would give satisfaction to the people, he should certainly vote for the Amendment of the hon. Baronet.

Mr. *O'Connell* rose amidst loud cries of "Question." As soon as the hon. Member could obtain a hearing, he said that he felt he could not at that late hour do justice to his constituents, and that he begged, therefore, to move that the debate be adjourned. [*Cries of "No, no."*]

Mr. *Peel* said, it appeared to him that this discussion might be very easily brought to a close now, and that he did not think they would be consulting the public interest by devoting their time for a fourth night to a measure which caused all other business to be neglected. He had done all he could to bring on this Motion, and to have it fully discussed, and he should therefore oppose the Amendment of the hon. Member for Clare, and take the sense of the House upon it if it were necessary.

[After a desultory conversation on the question of adjournment between Mr. Hume, Sir E. Knatchbull, Mr. Huskisson, Mr. Davenport, and other hon. Members, the gallery was cleared for a division. While we were excluded from the gallery, we understood two divisions took place: the first on the simple question of the adjournment of the House till Monday, on which there appeared — Ayes 9; Noes 341. The second division was on the Motion, that this House do now adjourn: Ayes 12; Noes 329.

[An Hon. Member, as we were informed, then expressed his intention of re-dividing the House on the Motion of adjournment till Monday: upon which

Mr. *Peel* said, he should be unwilling to throw any obstruction in the way of hon. Members expressing their opinions, and therefore would propose that the further discussion of the Question should stand over till Tuesday.—Ordered accordingly.

HOUSE OF LORDS.

Monday, March 22.

MINUTES.] Returns ordered. Copies of three Letters from the Court of Directors of the East India Company to the Governor-general in Council at Fort William, Bengal; to the Governor in Council at Fort St. George; and to the Governor in Council at Bombay, all dated March 10th, 1830.

Petitions presented. Praying that the Trade to India might be thrown open—By the Earl of HARDWICKE, from the Borough of Wigan, in Lancashire:—By Lord ARBUTHNOT, from the Royal Borough of Lanark:—By the Earl of ROSSLYN, from the Cotton-weavers of Glasgow. By Earl STANHOPE, from the Agriculturists of Nottingham, representing the Distressed State of Agriculture, and praying relief:—and from the Agricultural Society of Holderness, to the same effect.

[The noble Earl stated, that the farmers were living on their capital, that the labourers were in a state of starvation, and he strongly recommended the petitions to their Lordships' notice.]

And by the Earl of ROSEBERY, from the farmers of West Lothian, against the new Tax on Spirits in Scotland.

[The Petitioners were most respectable, the noble Earl said, and many of them were personally known to himself. But he could not concur with them that this small additional duty of two-pence per gallon would do them any injury. He approved of the measure for removing the Duty on Beer and augmenting the Duty on Spirits, which, in his opinion, would do no injury either to the grower of barley, or to the distiller.]

REFORMS IN COURTS OF JUSTICE.] The order of the day was read for the Motion of the Lord Chancellor to introduce a Bill to facilitate the Administration of Justice; on which

The *Lord Chancellor* rose, to make, he said, his promised statement concerning the improvements in progress and in contemplation, in the modes of procedure in the Courts of Law and Equity, and Ecclesiastical Courts, as he had given notice he would do on occasion of moving the first reading of a bill connected with those improvements. His object, on the present occasion, was to explain the general nature and description of those measures of improvement so that their Lordships might be the better able to understand the separate provisions as they came in detail before them. He felt himself more particularly called on to do so, as the subject was mentioned in his Majesty's Speech at the opening of the Session, and the attention of the two Houses of Parliament called to it. His Majesty had then stated, that his attention had been of late earnestly directed to various important considerations connected with improvements in the general administration of justice: their Lordships must therefore be prepared to expect some communication similar to that he proposed to make. He should not feel it necessary however to enter into any details, from the consideration that each measure must be particularly submitted to their Lordships' attention as they all came successively before Parliament. All he proposed to do at present was, to lay before their Lordships the general scope of the proposed improvements. Even of this he was aware, that the several parts might appear dry and forbidding; but their Lordships would no doubt recollect that these were matters of the utmost importance to the liberty, property, and even the lives of the subject, and would therefore be disposed to listen with the attention the matter deserved. In the first place, he solicited their Lordships' attention to what had been done, and what was intended to be done, with respect to the Criminal Law, in the course of the present Session. It was to his right hon. friend, the Secretary of State for the Home Department, that the gratitude of the country was most particularly due for what had been done in this respect. From his situation he had been enabled to pay, and had paid, most particular attention to the state of the Criminal Law, and had in that department already introduced many important improvements. He had abolished many obsolete and useless forms, such as those about benefit of clergy, and other matters of the same description, which impeded instead of promoted the administration of justice. Having brushed away these antiquated, and now cumbrous and inconvenient appendages, he was in a condition to look at the state of the law itself, as it was scattered through the Statute-book; and beginning with the subject of larceny, he went on to consolidate the laws relative to malicious offences against persons and property. He was now employed in consolidating the whole of the laws relative to forgery, and relative to the punishment of death for violations of the right of property. On the whole, he had caused to be repealed no less than four hundred statutes, and had taken away the punishment of death from nearly three hundred offences. For this, too, as well as for other things, his right hon. friend was well entitled to the gratitude of his country. There was manifestly a very great advantage in the course pursued; for, instead of such a multitude of particular Acts, the whole of the law on a given subject was reduced to five or six Acts. It was by this means brought more distinctly under the view of the legislator, and as he advanced with a certain set of improvements, he saw the way more clearly towards others; he could more accurately detect defects, and with greater facility and safety apply the remedy. From the consideration of this branch of the subject, he passed on to the proceedings with respect to the Civil Law Courts. Their Lordships were aware that two years ago a Commission was appointed to examine into the state of the Law of this Country, as administered in the superior Courts of Law. That Commission had made two Reports, and a Bill had been already prepared, and another was in progress, to carry its suggestions into effect. The superior Courts of Law in this country were the Courts of King's Bench, Common Pleas, and the Exchequer. Each of these Courts was originally differently constituted; the Court of King's Bench was a Court of Criminal Jurisdiction,—the Court of Common Pleas entirely one of a Civil character, while the jurisdiction of the Court of Exchequer was confined to the cognizance of those suits which concerned the royal revenue. In process of time the Court of King's Bench assumed jurisdiction in certain civil cases, and at length in all civil cases whatever. It had interfered first in the civil suits of those who were in the custody of its own officer; and then by a fictitious allegation, which it would not allow to be controverted, that all persons who chose to bring suits into the Court were in the custody of its own officer, it assumed jurisdiction in all civil suits whatever. So the Court of Exchequer, which in its origin was a Court whose jurisdiction was confined solely to the Crown revenues, assumed a similar jurisdiction over all civil suits whatever, by means of a fiction, whereby it was alleged, and the allegation not allowed to be controverted, that the plaintiff was debtor and accountant to his Majesty, and that by the defendant's refusing to pay him what he owed him, he rendered him the less able to pay the debt due from him to the Sovereign. In this manner the Court of Exchequer contrived to assume jurisdiction in all civil cases. Their Lordships might easily understand that a different mode of practice prevailed in each of these Courts, and that the forms were distorted with fictions. With respect to the practice of the Court of King's Bench, it required two closely-printed octavos, with distinct rules in each page, to give a fair view of it; and the case with respect to the Common Pleas was the same. With respect to the Court of Exchequer, there was no corresponding publication; but if there had been one, it must have been still more complicated and voluminous. It was intended by the measures now in contemplation, to shorten and simplify the practice of these Courts, and to assimilate them to each other, and to curtail the expense of suits in all the Courts as much as possible. The effect would be, to render the process not only more easily understood by people in general, but more intelligible to those persons who might be preparing their way to the Bar. It was lamentable to think that it was necessary for those who were intended for the Bar to spend so much of their time in making themselves masters of mere forms and technicalities, instead of the substantial parts of the law, and instead of improving themselves in general knowledge; and, therefore, the more the mode of procedure was simplified the better. That was the first point on this head; and, for the purpose which he had mentioned, a bill had been prepared, and laid on the Table of the other House, and it would be for their Lordships to judge whether it had adopted the wise and proper course to carry the object into effect or not. The second report of the Commissioners related to a subject of great importance, namely, the science of Special Pleading. He had heard that it had been said in another place, that special pleading ought to be abolished. The Commissioners, however, did not think so; and, in his opinion, they thought wisely. Any one might understand that what occasioned the greatest expense in the proceedings at law was the trial; and, with reference to this, the science of special pleading was most important. What was special pleading? It was to bring the issues to be tried, both as law for the Judge, and fact for the Jury, to the shortest and most distinct points, so that the parties might know precisely to what, at the trial, they would have to apply themselves, and make their preparations, as to witnesses and other matters, accordingly. If there were no special pleading, and the matters in difference were not thus made short and distinct, the suitor could not so well know how to prepare himself for the trial; and, in making preparations to meet every supposable case, he would be put to most enormous and unnecessary expense; and, in addition, there would be such a constant succession of mistakes at *nisi prius*, that the number and expense of new trials would be enormously multiplied. The Commissioners, therefore, did wisely in refusing to abolish a system which prevented confusion, and complication, and uncertainty, at the trials. Special pleading was no more than this: The plaintiff stated his case, the defendant pleaded (that is, answered), the plaintiff replied, and so on, and in this manner the matters in issue were brought to precise points in a short time, and these points were the precise and distinct questions—if of fact, to be decided by the Jury; if of law, by the Judge and the Court. To be sure, special pleading, like every thing human, was liable to abuses, but it did not therefore follow that it ought to be altogether abolished. The Commissioners had acted with more discretion and wisdom; and whilst they stript the science of idle, cumbrous, unnecessary, and complicated forms, they retained the essential part, as being most useful, and even essential, to the due administration of the law. With respect to this subject, also, he hoped that when their Lordships should have the measure distinctly before them, and see what it was, they would be of opinion that on this branch of the improvements the Commissioners had done essential service to the country. He ought to mention, also, that the Commissioners had recommended the enacting of some subsidiary provisions in aid of Courts of Law, which in many cases would supersede the necessity of applying to Courts of Equity at all. To this extent, then, matters had gone, and were now in progress to a conclusion. But this was not all; for the Commissioners and the Government had paid attention to a matter of great practical importance—namely, the actual state of the superior Courts of Law as to the quantity of business before them. It appeared that during the last five years, 11,000 causes had been tried at the Court of King's Bench, 3,000 at the Court of Common Pleas, and at the Exchequer only 500. During that period, he believed, that in the City of London not a single Special Jury cause had been tried by the Court of Exchequer. When he was attorney-general, he had brought a bill into Parliament, which was passed into a law, which enabled three of the Judges of the Court of King's Bench to sit under the King's warrant for some days out of term, for the despatch of term business. That measure he always, however, contemplated as a temporary, and not a permanent one. But it must be permanent, unless some other kind of assistance was provided for the Court of King's Bench. Although additional facilities were given for the despatch of business in the Court of King's Bench, by the plan which he had proposed, yet additional business flowed into it in proportion. The Court of King's Bench was the favourite Court, and all crowded into it who thought they could get to a hearing in a reasonable time, so that it was as much overwhelmed with business as ever. But the three Judges sat in a separate Court, away from the ordinary Court where the Chief Justice sat; which was attended with many inconveniences. At present the business done by the Judges sitting *in banco* out of term was done by three, the time of the Lord Chief Justice being wholly occupied in trying causes at *nisi prius.* Now this was inconvenient in many respects, for it often happened that questions of law sent for the opinion of the Court, from some of the Equity Courts, had to be decided by three of the Judges, without the valuable aid of the Chief Justice. It was also a matter of considerable importance, that the three Judges sat, in a great measure, apart from the public, whose presence had a good effect both on the Bar and the Bench. He knew that a young man when at the Bar was proud when he had a special case to argue in the presence of the public in a crowded Court. This was a great stimulus to young men, and encouraged them to exertion. He did not mean to say that they neglected the business of their clients, but certainly they were deprived of a great stimulus to exertion when they were withdrawn from the view of the public.—It was, therefore, desirable that the business in the Law Courts should be conducted in the presence of the public, and in the open view of the whole profession. It was one great object of the Commissioners, that the business of the Courts should be as much equalised as possible among the whole of the Courts, and that no Court should have too much, or rather that each Court should be able to despatch the business that came before it. The Court of Common Pleas had full as much business as it ought to have; for he was convinced that neither Judges nor Counsel ought to have their time so totally occupied in the duties of their profession as to have no time to attend to anything else. He thought that Judges ought to have some time for relaxation, and for attending to objects of science and literature, and general knowledge, so as to be able to keep up, and even to add to what they had before acquired; and in this view he was satisfied that the Judges of the Common Pleas did as much business in their profession as any Judges could reasonably be called on to do. With regard to the Court of Exchequer, it was well known that it sat in a double capacity—both as a Court of Common Law and a Court of Equity. Properly speaking, the Barons, when they sat as a Court of Equity, might be assisted by the Lord High Treasurer and the Chancellor of the Exchequer; but of late years these had not attended, and the consequence was, that both at Law and in Equity the Barons only sat in Court. From the inconvenience supposed to result from this, a regulation had been adopted, by which the Lord Chief Baron sat in Equity, while the three Barons sat at Common Law, and in both they sat without doing much business. One cause of this, no doubt, was, that the Court of Exchequer was in some measure closed to the general practitioner, and that the business must be conducted through the medium of a law-officer of the Court. To remedy this, the Commissioners proposed that the Common Law business should be detached from the Court of Exchequer. They thought, and he considered the opinion to be well founded, that this would have the effect, as the practice of all the Common Law Courts would be assimilated, of taking off the surplus business, which now pressed chiefly on the Court of the King's Bench, and thus one of the great evils complained of would be removed. If, besides separating the Common Law business from the Court of Exchequer, an additional Judge in Equity should be appointed, for a time at least, there would be good reason to believe that the other Courts of Equity would be relieved from the pressure which they at present labour under.—There was another measure of great importance which had engaged the attention of his Majesty's Ministers, and one which would be attended with but little additional expense, or at least less than was commonly imagined; this was, the subject of the Welsh Jurisdiction, and the appointment of an additional Judge to each of the Courts. The subject of the Welsh Jurisdiction had often been brought under the notice of Parliament, and two Reports had been made concerning it. The opinion of the Commissioners was, which he believed was also the general opinion, that it should be assimilated to that of England. The present system was established in the reign of Henry 8th, and the object of it was, to extend to the Welsh the same law and the same mode of administering justice which prevailed in England; and the only reason why that object was not attained was, the difficulty of communication which then existed between the one country and the other. But that difficulty had now been removed; the reason no longer existed; and it was proposed, therefore, that two of the additional Judges should be appropriated to that jurisdiction, and hold the Assizes there in the same manner as in England. By doing this they were only following the object of Henry 8th, which was to have the laws administered in the same manner in Wales as in England. He would not enter into the details of the bill for carrying this proposed measure into execution, as the bill was in the other House, and would soon be before their Lordships. He merely now stated the general scope of the measures in contemplation and in progress, that their Lordships, from understanding the general system beforehand, might be better prepared for the consideration of the particular details, when they should be called upon to decide upon them. There was another subject which had engaged the attention of Government, and that also was one of very considerable importance—he alluded to the subject of Jury Trial in Scotland. Commissioners had been appointed, at one time, to consider this subject, and a considerable difference of opinion prevailed. Many thought that Jury Trial was not at all adapted to the law and to the proceedings in the Scotch Courts; and it was resolved, and he thought wisely, that, in the first place, the system should not be incorporated with the Court of Session, but tried in a separate Court, by way of experiment. A great portion both of the people and the lawyers of Scotland were prejudiced against it, and therefore it was tried in a separate tribunal. The experiment had been made; and the result, he had reason to believe was, that many of those who had felt the strongest prejudice against it, and thought it utterly incompatible with the due administration of the Scotch Law, had now changed their opinion, and thought that it might be incorporated with advantage into the general system of the superior Courts of Scotland. A measure accordingly was in contemplation for effecting that object, and also to promote the general improvement of the mode of procedure in that country. Another subject of great importance had also engaged the attention of his Majesty's Ministers, although they were not prepared to bring any specific measure on the subject before Parliament: that was the law of Real Property, particularly with respect to the branch of Conveyancing. Commissioners had been appointed thoroughly to consider the subject, and among these were some of the most eminent members of the Bar connected with that particular branch of the law. They had paid the greatest attention to the inquiry, and had met with considerable difficulties in the course of it. They had not yet been able to make a report; but they expected that they soon would be. He knew that they contemplated getting rid of many useless forms, and much of the expense which attended the transfer of real property. There were, no doubt, many difficulties in the way of making these alterations, but diligent investigation would probably suggest a means of successfully accomplishing, at least a considerable improvement, if not a complete reform in this branch of the law. Another measure of great importance, which had also engaged the attention of his Majesty's Ministers was, the state of the procedure and administration of the law in the Ecclesiastical Courts. A commission, composed of very learned men, had been appointed to inquire into the subject, and they would, no doubt, collect and communicate much valuable information. There had been examples, at no very remote date, of the very defective state of the procedure in these Courts, and of the necessity which existed for amendment; and perhaps it would be desirable that the provincial tribunals of this description should be abolished. It might be highly expedient that those modes of proceeding should be changed which had been established at different times, and under very different circumstances. He had called their Lordships' attention to this rapid survey of the general scope of the proposed alterations and improvements in the law in general, as introductory to a particular object which he had in view with reference to the Court of Chancery. If it were so important that the best modes of procedure and of administering the law should be adopted with respect to other Courts, what must be the importance with reference to the Court of Chancery? Their Lordships might judge when he informed them that there were forty millions sterling of the money of his Majesty's subjects in that Court. A commission had been appointed some years ago to consider the state of the procedure and the administration of the law in that Court, and he had heard that it had been said in another place that the commission had been productive of no advantage, and had only occasioned needless expense. The one assertion was just as correct as the other. That commission had been attended with no expense, except for the salary of the Secretary and the rent of the room in which the Commissioners sat, for the able men who had composed it had attended gratuitously. As for the advantage derived from the Commission, it had effected, perhaps, with one exception, as much as it could. The object of the commissioners was, to shorten the system of procedure previous to the trial, and they had made many valuable suggestions for that purpose; and many regulations had been already made in order to carry their recommendations into effect. Some of them were embodied into the orders for the regulation of the proceedings of the Court, others were incorporated into the bills which had been brought into Parliament. Those which could be carried into execution without the sanction of Parliament had been already adopted, and for those which could not, the Ministers then sought the sanction of Parliament. A great deal had, in fact, been already done towards simplifying the proceedings in the earliest stages, and indeed all that could conveniently be done. The next and the great point was the hearing of causes, and the subsequent proceedings. Of the delay a complaint had always prevailed, from the time of Lord Bacon to this day, and it had happened that the arrears had accumulated to a great extent, so that even thirty years had elapsed before a final decree could be pronounced. But there was one consolation at this day, and that was, that for the last five years there was no increase in the arrears; and if they could once get rid of the arrears, the present establishment of the Court of Chancery might be sufficient to keep down the arrear in future. Casualties, however, might occur, as in the case of that most able judge, the present Master of the Rolls, and of Sir Thomas Plumer. Besides the casualties of indisposition, many might occur from deaths and vacancies. But still, if the arrear were once got rid of, he believed that it might be kept down by the present strength of the Court of Chancery, and he was willing to qualify the proposition which he had made last year for an additional Equity Judge, to the extent of that possibility. But if they were to appoint an additional Judge to each of the Courts of Common Law, it would be but unwise policy, as it appeared to him, to deny an additional Judge to the Court of Chancery, the arrear in which it was so very important to get rid of. But he would suggest this qualification, that when the arrear should be got rid of, in case of a vacancy in that office occurring by resignation or death, his Majesty, with the advice of his Privy Council, should be enabled to decline filling up the vacancy, and so discontinue the appointment. This might easily be done, for the new Judge would act with the machinery of the Court of Chancery already in operation, and no new officers would be appointed—for whom, in case of discontinuing the Judge, compensation must be provided. This would create no new establishment, and the only additional expense would be the salary of the Judge himself. Even without the death or resignation of any of the Chancery Judges, the new Judge might, when the arrears were got rid of, be transferred to any of the other Courts if necessary. He ascribed the fact, that there had been no recent increase of arrear in the business of Chancery, to the fact of the Master of the Rolls having most readily, and with that willingness with which he listened to any proposition for facilitating the despatch of business, acceded to the suggestion which was made to him, that he should hold his sitting in the morning instead of in the evening. The Master of the Rolls now sat in the morning, and had drawn to him a separate Bar, which was attended with most advantageous results to the suitors of the Court. He did not know what was the exact state of the arrear of the Court of Chancery, up to the moment in which he spoke, but by the returns laid on the Table of the other House, up to last Hilary Term, it appeared that the arrear was in some degree corresponding to the state in which it was at the same period of the last year. The only objection that he had heard to the appointment of an additional Judge in the Court of Chancery was this,—it was said, "If you multiply the Judges, you facilitate the hearing, but you increase the number, of appeals." He was not aware of the value of this objection, but one great answer to it was this, that the chief business of the Court, and indeed the principal reason of the delay in hearing causes, was the number of motions. In Lord Hardwicke's time, motions connected with a cause for hearing were refused. Lord Hardwicke used to say, "I will not hear the motion, but I will hear the cause, because that may get rid of the motion altogether." There were now, however, so many motions, that this could not be always done. Some of those motions occupied as long a time as would be sufficient for the hearing of the cause itself. If, therefore, they could by any means diminish the number of motions, they would diminish the delay in hearing the causes, and there would be little fear of having any increase in the number of appeals. So great, however, was the number of motions, and so pressing were barristers in urging them on the attention of the Court, that the Chancellor had not time for hearing appeals. It frequently happened that when he called on a cause, one barrister stood up, and said, "I have a motion to make for an injunction, which is necessary to prevent a great waste of property." Another said, "I have a motion for the appointment of a receiver, which is essential to the interest of parties before the Court." The Chancellor had no option; he was obliged to hear these motions; and in this way the hearing of causes and of appeals was delayed. In the course of last year he had only been able to devote thirty days to the hearing of appeals. If he were allowed only fifty days in the year to hear, or if any other course were taken to dispose of the motions, the arrear would soon be got under. It had been stated that there would be an increase of appeals from the Court of Chancery to that House. The increase, however, he believed, would be very small. At present there were only six such appeals, and that would make no very inconvenient addition to the number on the books. The whole number of appeals on the book at the commencement of this Session was between eighty and ninety; and of these, thirty had been already disposed of. The arrangement made in this respect by his noble and learned friend would enable their Lordships to sit five days in the week, and in that way he hoped that before the end of the Session the whole of them would be disposed of. Their Lordships were at present hearing appeals which had been set down last year, and that was proceeding with as much speed as in the Courts of Common Law; for cases on Writs of Error could not be brought to hearing before the lapse of a year. No inconvenience, therefore, was likely to arise from any increase of appeals to their Lordships. One word as to what had been said with respect to the Privy Council. It had been stated that that Court required great alterations in its constitution and in its practice as to hearing appeals. He was not of that opinion. It had the advantage on most occasions of the presidency of the Master of the Rolls, or of some other distinguished law officer, who gave his constant attention to the business which was brought before it. He saw therefore no necessity for any alteration. The valuable assistance which had been given by his noble and learned friend (Lord Wynford) for the half of last year, and by the Master of the Rolls for the other half, had been so effectual that there was no arrear in that Court. He spoke this in the presence of his noble friend the President of the Council. But to revert to the recommendations of the Chancery Commission, the Commissioners had made many suggestions with respect to the Masters' office, and many of these suggestions had been carried into effect. It had been stated that the Masters in Chancery led lives of idleness, and that they had, in fact, little or nothing to do. He could state from his own knowledge of the practice of the Court, that this imputation was unfounded. Looking at the business of the last four years, he found that they had presented on an average 4,000 reports and certificates, and when their Lordships recollected that many of these required days of anxious labour and inquiry, they might judge how unfounded any charge of idleness against them must be. He could also state that there was a very small arrear in proportion to the business despatched. One of the circumstances recommended by the Commissioners with respect to the Masters in Chancery was of the utmost importance. It related to the manner in which the Masters were paid. A great proportion of the emoluments received by the Masters was derived from what was called Copying; the Masters and their clerks were paid, partly by fees on copying, and partly by direct demand for money. From this circumstance had arisen the imputation against the Masters, that they endeavoured to lengthen the proceedings, and that they were in the habit of multiplying copies beyond the necessary number. He believed the imputation to be altogether unfounded; but still it was desirable to remove even the source of unfounded imputations, when the person against whom they were made were in the discharge of judicial functions. He admitted, too, that the Masters ought to be paid in a different manner. This was a subject of considerable difficulty, but he had devised another mode of payment, which he believed their Lordships would approve, and which, he trusted also would not be objected to by the Masters. The mode which he should propose,—a mode, be it observed, which imposed no additional expense upon the public,—was, that the fees of the Masters should be received as they had been hitherto; that they should be carried to a fund, to be called the "Masters' Fund;" and that out of this fund the Masters should for the future be paid. In his opinion a proper remuneration for a Master would be 3,000*l.* a year. Under the present system many of the Masters made considerably more than 3,000*l.* a year; but he should propose that no Master appointed hereafter should receive more than 3,000*l.* a year, or any other sum at which the Parliament might think proper to fix a Master's salary. He should not, however, propose that the Masters should be remunerated wholly by means of a salary; but that their remuneration should arise, partly from a salary, and partly from a fee on each report. He had adopted this mixed mode of remuneration, in order that the Masters might not be deprived of that stimulus which, though it was perhaps a matter of small consideration with respect to a Judge who acted in public, was certainly a matter that should not be lost sight of with regard to Judges who discharged their functions, not in public but in private. He proposed, therefore, that the salary of a Master in Chancery should be 3,000*l.* a year, and that the emoluments of every new Master should be limited to that sum. He believed that most of the present Masters would agree to the plan he proposed of carrying all the fees into one fund, to be called the "Masters' Fund," out of which they should be paid; but some of the present Masters, probably, would not consent to this arrangement. By this mode, however, they would effect all that was at present practicable, and they would be able ultimately to accomplish the object which the Commissioners had in view. Their Lordships could not conceive the barrier to improvements in the Court of Chancery which arose from the present mode of remuneration. To give their Lordships an instance, he would mention that the Court of Chancery made, among other orders, one respecting the mode of taking accounts, directing that accounts should be taken in a particular manner. This order was published, but the Masters refused to act upon it. And why? Because, they said, it would diminish the fees of certain persons in the Report-office. The Court again was unable for the same reason to diminish the length of reports. The Court could indeed make an order which, if carried into effect, would attain that object, but if the consequence of that order was also the diminution of the fees of any particular person, the order would not be acted upon, and would therefore be nugatory. This mode of remuneration once got rid of, they might do a great deal. When he stated to their Lordships that he proposed to add a new Judge to the Court of Chancery,—that appointment being qualified and restrained in the manner he had mentioned,—he had not, he believed, told their Lordships that by this addition no new expense would be imposed upon the public. It had given great gratification to him, and it would doubtless be a source of gratification to their Lordships also, to find that this appointment might be made without adding to the public expense. There was a fund in the Court of Chancery, the nature of which he could not explain to their Lordships in any better way than by likening it to the unclaimed dividends remaining in the Bank of England. This fund had its origin 100 years ago; and had produced an income of between 50,000*l.* and 60,000*l.* a year. It had been applied by the legislature, at various times, to various purposes connected with the Court,—such as the building of offices, and in part payment of the salaries of the Vice-Chancellor, the Masters, and the Registrars. There was now remaining of it a clear surplus which produced an income of 30,000*l.* a year; and it was his intention to propose that the salary of the new Judge should be paid out of this fund. What he had said with respect to the Masters would apply almost in the same degree to the Registrars. It was the business of the Registrars to draw up the decrees of the Court, and it was of the utmost importance to the suitors that the functions of the Registrars should be performed without delay. In this view the Chancery Commission had recommended that two new Registrars should be appointed. One of the objects of his bill was, to carry this recommendation of the Commissioners into effect: but no additional expense would be thereby incurred; for the fees which were now received by four Registrars would then be divided among the six. He would not then enter into any details respecting the duties of the Registrars and the arrangements contemplated, but content himself with observing, that what he had said with respect to the Masters would apply also to the Registrars. Thus, then, he had given their Lordships a general outline of the steps which had been taken to facilitate the progress of a cause in the Chancery Court; and he had called the attention of their Lordships to the measures in contemplation for the furtherance of the same object by the appointment of an additional Judge, and by arrangements with respect to the Masters and the Registrars. But there was another point connected with this part of the subject on which he had yet to touch. The Masters had told him that the book which had been kept in the Masters' Office, relative to the progress of causes, had been productive of the most salutary effects. He proposed, therefore, that at stated periods a return should be made to the Lord Chancellor of all the cases in which no decree had been made, in order that information might be given to the parties concerned, and an inquiry made into the causes of the delay. Upon another subject, connected with the jurisdiction of the Court of Chancery, it was necessary that he should trouble their Lordships with a few words: he alluded to Commissions of Lunacy. A commission of Lunacy, in ordinary cases was attended with very little expense; but in some cases the expense of such commissions had been enormous. It had been so in the case of Lord Portsmouth, in the late case of Mr. Davies, and in the case of a gentleman residing in Leicestershire, whose name he believed was Holmes. A bill had, during the present Session of Parliament, been introduced into the other House by an hon. and learned friend of his (Mr. M. A. Taylor) to lessen these expenses; and the mode in which it was proposed to accomplish this was, by giving authority to the Lord Chancellor to direct a Judge of one of the superior Courts to preside at such inquiries, in cases where the Lord Chancellor should think the inquest required the presence of a Judge, and ought not to be conducted in the ordinary mode,—namely, by commissioners. He had had a communication with his hon. and learned friend who introduced the bill, and he believed he had satisfied that gentleman that a legislative enactment on the subject was unnecessary,—inasmuch as the Chancellor already possessed this power. There were instances of such inquests having been directed to the Lord Chief Baron and to the Attorney-General, so far back as the time of Henry 8th. He would not trouble their Lordships with particular instances, but content himself with observing that the Lord Chancellor had such a power. He would add, too, that he thought it would be wise and prudent in the Chancellor to exercise that power in cases which rendered it necessary. The excessive expense of lunacy inquests did not arise from the state of the law, or from technical difficulties; for nothing could be more simple than the law on this subject; it was caused altogether by the protracted attendance of witnesses. The expense then would be diminished by shortening the inquest; and it was clear that the examination of witnesses would be conducted with more celerity, and with more satisfaction, under the superintendence of a Judge in the habit of presiding at *nisi prius*, than under the direction of the gentlemen to whom commissions of lunacy were in ordinary cases directed. This had occurred to him long before hi hon. and learned friend introduced the bill to which he had alluded, and he had intended, and still did intend, to exercise this power in cases which should appear to him to call for the presence of a Judge. There was another subject connected with the Court of Chancery which he must not pass over; and this was the jurisdiction and the practice of the Court in cases of Bankruptcy. He could assure their Lordships that he had carefully and deliberately directed his attention to this subject, over and over again; and he was more than ever convinced that the administration of the law in bankruptcy, so far as it related to the metropolis, could not be confided to a better description of persons than those in whose hands it was now placed; namely, Commissioners. Much of their duty was ministerial: some of it was judicial; and the business that came before them was of the most fluctuating nature; but these tribunals were so constituted, that they adapted themselves with facility to all. As to the manner in which the Commissioners performed their duties, he had no hesitation in saying that they performed them well. The tests of this were, in the first place, the number of appeals from their decisions: in the next place, the number of the reversals of those decisions. Now, considering the immense quantity of business disposed of by the Commissioners, it was wonderful how small the number of appeals were; and still more wonderful how few decisions of the Commissioners had been reversed. He thought, therefore, that the constitution of these tribunals was good, and he had no intention of proposing any alteration in them. Some propositions, however, he had to make, which would diminish the expenses of proceedings in bankruptcy,—but he could not enter into the details of these on the present occasion. He should propose, too, that the jurisdiction of the London Commissioners should be enlarged. Their jurisdiction was at present limited to the distance of forty miles from London. The facilities of communication had of late years so rapidly increased, that he thought their jurisdiction might, without inconvenience, be extended to the distance of eighty miles; for he thought that with the increased facilities of communication, eighty miles now could scarcely be considered more than forty miles were at the time when the extent of the jurisdiction of the London Commissioners was fixed. This arrangement would bring more business to the Commissioners, and give to the inhabitants of places within eighty miles of the metropolis the advantage of better tribunals than they had at present. In Lord Rosslyn's time commissions were established in all the great mercantile towns. Why this wholesome system was abandoned, not many years ago, he did not know, but he thought it was because the increase of patronage was alleged to have been the only object in view in establishing such commissions. He was one of those who thought that no man ought to be diverted from the upright and correct discharge of his duty by imputations of this nature, and that a man, unjustly loaded with obloquy, should rather endeavour to show that he did not deserve censure than abandon a course which he knew to be good, merely because it subjected him to unfounded aspersions. He should propose that such commissions should be re-established in the great mercantile towns. He had the power of doing this without the intervention of the legislature; and he should effect this object, with a view to make it as little expensive as possible, in such a manner, that with these new commissions, the number of Commissioners of Bankrupts should be the same as at present, including both the London and country commissioners. Thus there would be no increase in the number of persons appointed, and there would, therefore, be no ground for supposing that increase of patronage was any part of his object in proposing this arrangement. The arrangement had been strongly recommended by a gentleman deeply versed in commercial transactions, who had presided over a Committee of the House of Commons in which this subject was carefully considered, and on whose acuteness, and knowledge, and experience he felt that he could safely rely. He had thus rapidly stated to their Lordships the nature of the measures in contemplation for the improvement of the administration of justice. Some of those measures were not yet prepared; some of them were in progress; and of these the progress of some was more advanced than that of others. Their Lordships would see that many of them required time. He had thought it his duty to lay before their Lordships this general statement. He could assure their Lordships that those to whom the task of inquiry into these matters had been confided, had perseveringly directed their talents and their energies to the subject. He believed that the result of their labours would be beneficial to the public; he trusted that their Lordships would think so too, when the measures were brought before them in detail; but he was perfectly sure that the public good, and that alone, had been consulted by the Commissioners in all their investigations. If their Lordships should concur in the observations he had thrown out, and in the measures submitted to them, it would be a source of great gratification to him personally, and to those who had co-operated with him. He had now only, in conclusion, to move that the Bill he presented "to facilitate the Administration of Justice in the Courts of the country," be read a first time.

The Bill accordingly read a first time, and ordered to be printed.

The *Lord Chancellor* said, it had been intimated to him that he had inadvertently stated that the Real Property Commission had made no report. They had made one report,—on Tenures,—but it was not in such a state as to lead to any practical result.

HOUSE OF COMMONS.

Monday, March 22.

Minutes.] Lord Killeen took the Oaths and his Seat as Member for the County of Meath, in Ireland. William Blair, Esq. took the Oaths and his Seat as Member for Ayrshire. Lord Francis Leveson Gower brought in a Bill to confirm certain Leases of Lands for the purpose of carrying on the Linen Manufacture in Ireland.—Read a first time. The Attorney General brought in a Bill "for the more effectual Administration of Justice in England and Wales," which was read a first time, and ordered to be read a second time on the 27th of April. The Smugglers' Families Maintenance Bill was read a third time and passed. The Indemnity Bill went through a Committee.

Returns ordered. On the motion of Mr. Hume, of the number of Vessels which passed through the Sound in the years 1827, 1828, and 1829, distinguishing their respective Nations, being a continuation of former Returns up to the year 1827; of the number of Officers on Full and Half-pay of the Army in each year, from 1826 to the 5th of January, 1830, distinguishing the Rank of each Officer; of the number of those who were admitted into the Army, and appointed to the Military College, specifying whether by Purchase or otherwise, in each year, from 1821 to the 5th of January, 1830; of the Expense of the Military College during the same period; of the number of Commissions vacant by Deaths, Removals, or Resignations between January 25th, 1828, and January 30th, 1830; of the number of first Commissions appointed to in the same period, distinguishing whether with or without Purchase; of the number of Commissions since March 31st, 1828; of the number of retired Officers of the Royal Artillery and Royal Marines, who were allowed to sell out since 1825, specifying the Names and Ranks of the Parties; an Account of Officers holding Brevet Rank; an Account of Money received from the Sale of retired Full-pay and Half-pay Commissions, with other Military Accounts, being a continuation of some already presented to the House. On the Motion of Mr. Wodehouse, Accounts received at the Foreign-office, from the Consuls Abroad relative to the Price of Corn in the year 1828.

[The hon. Member explained, that his object was, to expose a fallacy of Mr. Jacob.]

On the Motion of Mr. Spence, an Account of the Decrees and Orders of the Court of Chancery and Courts of Great Session in Wales, during the last ten years.

Returns presented. The Minutes of the Evidence taken before the Wexford Election Committee. The number of Persons discharged under the Insolvent Debtors' Act. The number of Pursers in the Navy. The Expense of the Shrewsbury and Holyhead Roads.

Petitions presented. Against the Renewal of the East India Company's Charter—By Mr. Stanley, from the Inhabitants of Guernsey:—By Mr. Beaumont from the Merchants and Manufacturers of Barnard Castle:—By Mr. Hume, from the Incorporation of Wrights of Perth:—By Lord Stanley, from the Inhabitants of Chorley:—By Sir Archibald Campbell, from the Merchants and Manufacturers, and also from the Provost and Magistrates of Perth. Against the Surrey Coal Meter's Bill—By Sir M. W. Ridley, from Mr. Thomas Bradfield. Against the Watching and Parishes Bill—By Mr. Byng, from the Inhabitants of Paddington. Against the Truck System—By Mr. Secretary Peel, from Stroud (Gloucestershire). Praying for the Repeal of the Malt Duty—By Lord Althorp, from the Inhabitants of South Erpingham. Against the mode of taking Polls at Elections—By Mr. O'Connell, from Mr. John Boyle of Cork, Against the Sub-letting and Vestry Acts—By the same Gentleman, from three Parishes of Ireland, in one of which there was not a single Protestant, though the people were obliged to pay Rates for a Parish that was ten miles distant from them. For an Alteration in the Elective Franchise—By the same hon. Member, from the Inhabitants of Athlone. Against the Corporation of Apothecaries in Dublin—By the same Member, from certain Apothecaries in Clare. Against Grants to the Kildare-street School Society—By the same Member, from the Inhabitants of Borris, in the County of Carlow. Against the Act for Disfranchising the Forty-shilling Freeholders, complaining of the injury it had inflicted on the People, and praying for its Repeal:—By the same hon. Member, from certain Inhabitants being Roman Catholics of Dublin, complaining of Distress, and praying for Relief:—By sir Thomas Gooch, from the Inhabitants of Mendlesham:—By Sir James Graham, from the Occupiers of Land in Stanwix. Praying for the melioration of the Criminal Laws—By Lord Stanley, from the Inhabitants of Rochdale. Praying for a Bounty on the Export of Lead Ore—By Sir James Graham, from the Royal Irish Mining Company. Against any alteration in the Courts of Great Sessions in Wales—By Mr. Frankland Lewis, from the Freeholders of Radnor.

Insolvent Debtors.] Mr. *Hume*, in moving that there be laid before the House a List of the Fees allowed to be taken by the Provisional Assignee, the Brokers, Messengers, and other officers of the Insolvent Court, together with their aggregate amount during each year, from 1814 to 1829, observed, that it was understood when this court was appointed, that the public were to be relieved from the payment of fees of every description except to a very small amount. He was however informed, that the payment of fees fell very heavy on the suitors of that Court, and as the Act was about to expire, he thought it quite right that the House should be put into possession of all the information which could be collected on the subject. Returns ordered.

Corn Laws.] Mr. *Hume* stated, that he should likewise move for returns tending to show the evil effects of the existing Corn-laws, which he presumed it was intended to submit to the revision of Parliament during the present Session. If, indeed, no more efficient Member could be induced to bring the subject before the House, it was his own intention to do so before the expiration of the Session. In moving for the Returns now required, he wished to enable Parliament to estimate the probable amount of our revenue, if only a moderate duty, such as he had formerly recommended, should be laid on. Under such a duty, the revenue derived from this branch of trade would have amounted, he believed, to about 1,190,000*l*, from the passing of the 9th of George IV. up to 1829, whereas it fell short of that sum, under the existing system nearly, 1,000,000*l.* sterling. He therefore moved for returns of the amount of the quantity of Wheat, Barley, and Rye, consumed in Great Britain during the intervening years, together with accounts of the average of Prices and Duties paid on the same, and also returns of the Importation of Foreign Corn into Great Britain, since the year 1815, stating the aggregate quantity of all sorts imported, distinguishing those importations which did not pay duty —together with the whole amount of Revenue received on the importation of foreign corn and meal in each year, since 1815. Ordered.

LOTTERY OFFICERS.] Mr. *Hume* in moving for a copy of the Treasury Minute respecting the retired allowances of the officers engaged in the late lottery establishments, stated, that he understood there were five individuals receiving an income of 1,473*l.* for life, being 375*l.* each; and that even the messenger, according to a document already laid before the House, had 28*l.* a year. It was the more to be objected to as those persons each held, at present, offices under the Crown. In the existing state of the Dead Weight, it was important that information should be laid before Parliament of every case similar to that, by which it would be seen whether or not the Government were pursuing its promised system of economy. The return he meant to move for would shew the services of Wm. Duere Adams, and the other persons to whom the Minute of December 8th, 1829, granted retired allowances, and whether the persons who enjoyed those allowances held any situation under the Crown. The Return ordered.

MALT AND BEER DUTIES, AND PUBLICANS.] Sir Thomas Gooch presented a Petition from the occupiers of land in the hundred of Gosford, praying for the Repeal of the Malt and Beer duties.

Mr. *Charles Barclay* wished to take that opportunity of explaining what he had said a few nights before. He had then stated, that in his opinion the removal of the Beer duties would be a great benefit to the public brewers; but he meant that opinion to apply solely to brewers, and no other class of persons. He knew that a great difference of opinion existed on the subject; but he had been very cautious in delivering his own sentiments. It had been said, however, that he sacrificed the publicans, because he did not at the same time state their claim to protection. He had in fact advocated their claims both in the House and in the Committee; he had always supported, and never compromised their interest, though he had also a duty to perform to the public, which he would discharge, undismayed by the threats of either individuals, or bodies of men. The publicans, however, being of opinion that they would be injured by the Beer trade being thrown open, he had been attacked in their behalf by a Newspaper, probably unknown, to the Members of that House, but much circulated among publicans, "The Morning Advertiser:" that attack contained a threat that he should be made to feel that it was necessary to support the publicans. He had been connected with that body for thirty years, and he should have thought that they knew him well enough by this time to know that threats could have no weight with him, though he had every inclination to favour their wishes. He was accused too of having combined with his right hon. friend to take off the Beer duties, and regulate the licenses. He believed that it was hardly necessary for him to say that such was not the case, and he had no other wish on the subject than to see the publicans far less aggrieved than they imagine themselves likely to be. He had always expressed his opinion that the measure proposed by the Chancellor of the Exchequer would be of great benefit to the public, while it would not injure the licensed victuallers. As he had always used every exertion in his power in their favour, he hoped the House would excuse him for having thus expressed his opinions.

Mr. *Benett* wished to know whether the Chancellor of the Exchequer intended to refund the duty on Beer to those who had a stock on hand; otherwise those persons, he conceived, would be placed at a great disadvantage by the intended abolition, of duty, as compared with those who would not purchase stock till after the 10th of October. If the drawback were not allowed, only a very small stock of Beer would be kept up, and none would be brewed but for immediate consumption. The consequences too would be injurious to the agricultural interest, for the sale of old Barley, for the purpose of Malting, would be entirely stopped.

Mr. *C. Calvert* contended, that throwing open the licensing system would be highly injurious to the vested interest of that numerous and respectable body—the publicans—and he hoped that the duties might be taken off Beer, without at the same time doing away with the licensing system. He wished to see the former measure tried by itself.

The *Chancellor of the Exchequer*, in reply to the hon. Member, begged leave to say, that the object he had in view in repealing the tax on Beer—namely, the interests of the large majority of the people—would be defeated unless he could at the same time throw open the Beer-licensing system. If that were not done, the abolition of the duties on Beer could only benefit the dealers in Beer. He could not take too early the opportunity of stating, that he considered the freedom of the trade in Beer to be essential to the abolition of the duties on Beer. He did not deny that the free sale of Beer would be a partial inconvenience to publicans; but he was bound not to consult any interests but those of the public at large. In reply to the hon. Member for Wiltshire, (Mr. Benett) he begged leave to state, that although those who had a stock on hand might be inconvenienced by the intended abolition of the duty on Beer, still it was deemed the best course to have no refunding, and let the Act of repeal come in force on the 10th of October. The interests of the people at large were the rule of his conduct, and not the advantages or disadvantages of individuals. He should be certainly ready to be brought before the Committee; but he must warn Members against adopting the exaggerated views of interested parties out of the House.

Mr. *Benett* wished to know if the situation of those who took out no licenses would not be better than that of the public brewers.

Lord *Althorp* expressed his hope that the right hon. Gentleman would not depart from his plans, or if he did, that he would couple the repeal of the Malt tax with that of the Beer tax.

Petition to be printed.

DISTRESS AND TAXATION.] Lord *Stanley*, in presenting a Petition from Manchester, praying for the abolition of all taxes which enhance the price of the necessaries of life, and impede the national prosperity, took the opportunity of declaring that, although he was anxious to give relief to the people, he could not vote either for the Motion of the hon. Member, or the Amendment of the hon. Baronet, on which the debate was again to take place to-morrow night. He wished to call the attention of the House to the petition which he held in his hand. It was signed by upwards of 13,000 people, and was agreed to at a public meeting, convened for the purpose. He should have felt great difficulty in believing that so much distress existed in Manchester, had he not been assured of the character of those individuals who had borne testimony to the extreme sufferings of the poor. There were many points, however, on which he could not agree with the petitioners. They ascribed our great distress to the change in the currency, the profuse expenditure for the army and navy, and the high salaries given to every public servant, which the petitioners considered quite disproportionate to the present value of money. He agreed with these petitioners that taxation was unequal, but he thought, notwithstanding the reduction of taxation which had been made by his Majesty's Ministers, for which he felt very grateful, that a much larger reduction must yet be made. The present distress was, in particular, complained of by the shop-keepers, who suffered very much from the general pressure. Not finding any thing like the same demand as formerly, they were gradually sinking to decay. The petitioners earnestly prayed for a large reduction of taxation, for the removal of every monopoly, and that the expenditure of the Government may be reduced to what it was in 1793. On the whole, he could not do otherwise than warmly support the prayer of the petition, though he did not agree to all its statements. In conclusion he would repeat, that, though as anxious as any man to relieve the national distress, he could not vote for either committee of inquiry, because he thought no good could result from them. Erroneous impressions would be caused, and hopes excited only to be disappointed.

Sir *G. Phillips* said, that although there might be various opinions as to the cause of the present distress, no person denied that distress existed to a great extent. He knew that the people of Manchester were exposed to much suffering, though the distress was not so great as it had been represented. He knew also that they were extremely desirous, as he was, of obtaining every possible reduction of taxation, and of putting an end to every monopoly, particularly to the monopoly of the Corn Trade and of the East-India Company. The expectation that the last would be abolished was very strong in the manufacturing districts. If the hopes of the people there were disappointed, they would be very likely to emigrate in large numbers, and carry their capital with them. There was an impression abroad, indeed statements had been made to that effect in the newspapers, that there was something like partiality in the investigation going on into the East India Company's Charter. The East India Company were raking up every instance of bad conduct in the East Indies for many years past, with a view to excite prejudices against alteration, and they, as well as the Board of Control, were opposed to the liberal policy of Lord William Bentinck. He also took that opportunity of saying, that he had not represented the other evening that there was no distress in the manufacturing districts, as the noble Lord (the Member for Northamptonshire) had seemed to suppose. He had on the contrary expressly stated, that among the hand-loom weavers the distress was very severe.

Lord *Althorp* explained, that he had not attributed to the hon. Member the opinion that there was no distress in the manufacturing districts.

Petition printed.

DUBLIN PIG MARKET.] Mr. *O'Connell* presented a Petition from Patrick M'Dermott, John Martin, and Miles M'Dermott, complaining of the conduct of the Lord Mayor of Dublin in removing the Pig-market of that city. The petitioners had been forcibly ejected from the market, though the law authorities of Ireland had given an opinion in their favour. They had a right to sell Pigs in the market.

Mr. *G. Moore* said, that the Mayor was anxious to submit his conduct to investigation. The law opinions obtained by the petitioners were given on their own partial and incorrect representations. They had no right to sell pigs in Smithfield, which was held for cattle, exclusive of pigs; and the number of cattle being very great, pigs were kept out of the market.

Lord *Leveson Gower* was sure that the conduct of the Lord Mayor was dictated by a regard to the public interest. That magistrate wished that the matter should be investigated before a proper tribunal, and he was sure that an Irish court of justice would be willing to afford its protection to the animals (bulls) for which the market was intended.

Petition to be printed.

COAL-METERS — DUBLIN.] Mr. *O'Connell* next presented a Petition from Stephen Fox Dixon, complaining of the conduct of the Corporation of Dublin in turning him out of a Coal-meter's situation, and of the bill which gave the Corporation power so to act. He had been a Coal-meter from 1806, and had received his share of the fees which were legally appropriated by the Coal-meters, through whom the corporation levied a tax on the public of several thousand pounds a-year. It had, indeed, proceeded so far that the interference of a court of justice had been demanded, which decided that the imposition ought not to be levied. According to the corporation, however, it was entitled to regulate the business of the Coal-meters by an Act of Parliament. In the course of these proceedings the corporation had turned the petitioner out of his situation, causing him considerable loss; and as he had no means of redress, he applied to the House. The prayer of his petition was, that the House would amend the Act by which the Corporation of Dublin was enabled to commit this oppression.

Mr. *G. Moore* said, he would only observe that the petitioner had been appointed to his office by the guild of merchants, whose right to make the appointment had been recognized for several centuries. In consequence of complaints made against the petitioner, his conduct had been subjected to examination before a competent authority, the charges were regularly made, time was given him to answer them, and having failed to answer them he was suspended from his office, which suspension he illegally resisted. His conduct was then brought before the Lord Mayor and Board of Dublin, and after council had been heard on both sides, they came to the decision of which the petitioner complained. His complaint therefore, was, in fact, an appeal from an authorized tribunal, to the House of Commons. With respect to the amount of the tax levied on the public for metage, which the hon. Member had referred to, there was no just cause of complaint; as it was not more than an adequate reward for the service of protecting the public in the supply of Coals. The duties for which the fees were levied were arduous, and required the Meters to be both intelligent and zealous. As he believed the subject would again come under the consideration of the House, he would not enter further into it. Of the individual, he would repeat that he had a full and fair investigation, and that, failing to exculpate himself from the charges, he was deservedly dismissed.

Petition to be printed.

Union with Ireland.] Mr. *O'Connell*, in presenting a Petition, very numerously and respectably signed, from the inhabitants of the city of Drogheda, praying for a Repeal of the Act of Union, through which they alleged that Ireland was suffering incalculable mischief, observed, that the petitioners referred to the total disregard shewn by the United Parliament to the local interests of Ireland, as a proof of their assertions. The Sub-letting Act, the Vestries' Act, the disfranchising of the 40*s.* freeholders were all passed in contempt of the local interests of that country. Jobs were encouraged, and grievances unredressed. The colonies had local legislatures, but Ireland was governed by the English Parliament. He moved that the Petition be brought up.

Mr. *Vanhomrigh*, as we understood, denied that the Petition expressed the sense of the influential portion of the inhabitants of Drogheda; and adverting to a petition presented the other evening, by Mr. O'Connell, respecting the abuses in the Charitable Foundations of Drogheda, which the hon. Gentleman had stated to be worth twenty thousand pounds a year, accusing the corporation of misappropriating funds to that amount, he declared, that the hon. Gentleman had come to erroneous conclusions from very ill-founded premises. He was distinctly authorized to deny the hon. Member's charge; he had inquired into the circumstances, and that charge was without foundation.

Sir *C. Wetherell* thought, that a petition for the repeal of the Union with Ireland, mischievous and absurd as it was, seemed also so clearly an attack on the principles of the Constitution, of which that Union now formed a part, that he for one should call on the House to reject the Petition at once. For that purpose he should now move that the Petition be read. No Member for Scotland would venture to rise in that House, and propose a repeal of the Union with Scotland; and yet could any Member say what was the difference between that Act and the Union Act of Ireland. It was no party question, but one which involved the integrity of the King's dominions. It was a violation of constitutional law, which no man could gainsay, who was not an enemy and a traitor to his country. He moved that the Petition be distinctly and audibly read.

Sir *M. W. Ridley* saw no objection to the Petition being received. There was no Parliamentary law which forbade it; and as to its prayer attacking the Constitution, they ought to recollect that they received petitions against the Parliament itself, which was also a part of the Constitution. The Union was an act of the Legislature, which the Legislature might repeal. He did not say that it would be prudent or politic to review that measure, but he protested against the doctrine that there was any law or practice which made the presentation of such a petition an impropriety.

Mr. *Moore*, adverting to the petition presented by the hon. Member for Clare, from the City of Drogheda, on a former evening, said, he was instructed to say that the statements of the hon. Member respecting the Charitable Fund of the Corporation—taken, of course, from that petition—were wholly unfounded. The Corporation challenged inquiry, and was willing to submit to the most rigid investigation.

Mr. *Lockhart* thought, the question respecting the repeal of the Union with Ireland of too much importance to be disposed of hastily; it involved the dismemberment of his Majesty's dominions, and therefore he should move, that the debate on the Petition be adjourned till Wednesday next.

Mr. Secretary *Peel* confessed he did not feel much surprise at the doubts expressed by the hon. Member for the City of Oxford (Mr. Lockhart), and the hon. Member for Plympton (Sir C. Wetherell) respecting the propriety of receiving a petition in support of a project so mad and so absurd—so utterly destructive of the prosperity of Ireland, and so much calculated to injure the integrity of the Empire—as that of a repeal of the Act of Union. He repeated, he was not surprised at the opinions of these hon. Members, but at the same time he doubted whether it would be proper to depart from the general Parliamentary rule, and refuse to receive the Petition. He did not apprehend that the Petition proposed a diminution of the Empire, or a separation of Ireland from the control and government vested in the Sovereign of this country. Ireland was a portion of the British Empire; the King of England was also the King of Ireland before any Act of Union was thought of: and the Petition, he supposed, merely prayed that the two countries should be placed with respect to each other in the same situation as they were before the Act of Union was passed. He doubted, therefore, whether they could, according to the forms of Parliaments, reject the Petition; but while he gave his vote for the reception of the Petition, he could not find terms strong enough to express his reprobation of the prayer of that petition, or his sense of the renewal of attempts to disturb the minds of the ignorant portion of the people by a representation of advantages to result from the possession of a Parliament in Ireland. The sentiments of the people of both countries had been freely and fairly expressed in the formation of the Union between the two countries. That Union was finally consolidated by the repeal of all those disabilities under which the great portion of the inhabitants of that country laboured, in comparison with those of England; and he repeated, that he could not find terms to express the strong disgust and reprobation with which he viewed the attempts made to separate them. When all good men were congratulating themselves on the return of that tranquillity which they sought to promote, and which had followed the healing measure of last year, when all denominations of Irishmen were allowed free access to every department of the State; when advantages had been conferred on them, such as they never before possessed, it was too much that all the old feelings of discord were to be revived for the gratification of some individuals, by such injurious and incorrect assumptions as formed the basis of that petition. At the same time that he could not too strongly express his abhorrence of its prayer and its object, he saw no reason for refusing to receive the Petition.

Mr. *O'Connell* was very sorry that the discussion which took place on another petition should have been mixed up with the very important question now before the House. He believed that the hon. Member for Drogheda was not present at the time the former petition was presented. If he had been, he would have known that he (Mr. O'Connell) did not say the revenues for the purposes of charity in the hands of the Corporation amounted to 20,000*l.* a year, or anything like it. He merely said that properties belonging to the Charities had been alienated and disposed of, which, if they were to let now, would produce 20,000*l.* a year, and that even still there were sufficient funds left in the hands of the Corporation for charitable purposes if they were properly administered. The petition was signed by some of the most respectable of those persons whom the hon. Member, no doubt, thought it an honour to represent. As to the question of the petition for the dissolution of the Legislative Union with Ireland, he totally differed from the hon. Member for Plympton, with respect to the regularity of that petition, and the object for which it prayed. He did not see any reason for depriving Ireland of a separate legislature, any more than Canada, Halifax, or Jamaica, where independent Representatives were permitted to deliberate on the local interests of the people. This he thought was as advantageous to the one country as to the other; and he believed the day was not far distant when the friends of Ireland and England would unite in their consent to the repeal of the Union; and that it would be hailed as an advantage by the best friends of both countries. Ireland, from the moment it obtained an independent legislature, rose in power and importance; improving its agriculture, and extending its manufactures with greater rapidity than had ever been exhibited by any other country in the same time. But the advantages of that situation were afterwards lost. The opinions spread abroad by the French Revolution, which created divisions between man and man, unhappily excited a rebellion which paved the way for the Union. The new-born energies of Ireland were laid low by her own dissensions, and the Act of Union had ever since prevented the revival of them. In forming that Union, the opinions and feelings of the people of Ireland were not taken into consideration, nor were the good sense and interests of the people of England fairly consulted. His opinion was, that if England wanted consumers for her productions, Ireland should be possessed of an independent legislature, for that alone could restore the prosperity of her people. As for the unfortunate petitioners, who had evoked such a storm of indignation, and who were ranked as traitors and enemies, he must say, that they were as patriotic and as loyal as their opponents. They were as honest in the opinions they entertained, which he shared, as any of the hon. Members who espoused very different opinions. At all events he would say, that he had heard no reason why a local legislature would not be as advantageous for Ireland, as for Canada or Jamaica.

Sir *C. Wetherell* again declared, that a petition praying to dissolve the Union with Ireland was something little short of treason, and insisted that it should not be received. If the hon. Member for Clare thought the Act of Union should be repealed, let him move for leave to bring in a bill for that purpose, and he would see how the House would meet it. He thought he could guess its fate; but he objected now, on the threshold, to the reception of this petition, which was a sort of side-wind,—a subterraneous movement,—to do by a dark, insidious course what no hon. Member would have the hardihood to propose specifically.

Mr. *Bernal* expressed an opinion, that the hon. Member for Plympton was mistaken in the judgment he pronounced with respect to the Petition. He saw no reason why the House should depart from its usual courtesy on that occasion: when any hon. Member brought forward a measure to dismember the Kingdom, it would be time enough to raise the voice of reprobation, or to move an act of impeachment.

The *Attorney General* saw no objection to the Petition being received, although he condemned its object.

Mr. *Hobhouse* was also in favour of its being received.

Mr. *Trant* thought the people of Ireland should take care how they presented sectarian petitions of this kind, because it might happen that those who passed the measure of last Session for the relief of the Roman Catholics, would, from such petitions, see the necessity of repealing that Act, and excluding all Catholics from the House. It was time too for the Protestants of Ireland to think of moving for the repeal of that Bill, to prevent their being handed over, bound hand and foot, to the Catholic population of that country.

Sir *J. Newport* said, that whatever might have been his opinion of the Union formerly, he was convinced that the repeal of the Act now would be productive of the most mischievous effects. It was his deliberate opinion, and he spoke it advisedly, that any attempt to cause its repeal now would be fraught with the destruction of Ireland, and the deep injury of England. He deprecated the remarks of the hon. Member, calculated as they were to interfere with that harmony and spirit of good feeling which he was delighted to find had so rapidly followed the passing of last year's beneficent measure. Ireland was now tranquillized and prosperous by the removal of all political disabilities, and it was most desirable that no subject of agitation should be introduced there. He hoped the House would receive the Petition, and put an end to that unavailing conversation.

Mr. *Portman* was averse to the adjournment of the debate on a question which could not be considered important after what they had heard, but as the Petition was respectfully worded, he saw no objection to its being received.

Mr. *Brownlow* observed, that if the feelings of the people of Ireland were really averse to the continuance of the Union, he was persuaded that those feelings could not be put down by the rejection of the present Petition; which would be the sure method of kindling a still stronger spirit of hostility in their minds. For his part, however, he did not think that the existence of such feelings was to be apprehended to any great extent. The interests of all classes in Ireland were so identified with the continuance of the Union, that he was satisfied that there was no general disposition to attack it, and he trusted that the hon. and learned Member for Clare would abandon the wild speculation in which he had embarked on that subject, and would devote his talents to some better and more useful purpose.

Mr. *Hume* said, he was one of those who wished to cement and strengthen the union between the two countries. At the same time he thought that feelings and opinions had been ascribed to his hon. and learned friend, the Member for Clare, without any just cause. As to the Petition, it appeared to him that to reject it would be to put an end to one of the most valuable rights of the subject. He was much surprised to hear his hon. and learned friend who opposed the Petition, state opinions so contrary to those which he had at other times advanced in the House. He hoped the amendment would be withdrawn. He was astonished at the expressions of reprobation which the right hon. Gentleman had used towards his hon. and learned friend, the Member for Clare. So he understood them. He perfectly agreed with the right hon. Gentleman, that to promote the separation of the two countries would be most injurious; but the right of the people to tender their opinions to the House upon the subject was quite a distinct question.

Mr. Secretary *Peel*, in explanation, denied that he had ever contended against the right of the people to express their opinions on that or any other subject. On the contrary, he had contended for that right. But while he had admitted the right, he had also declared that he could not find language strong enough to express his reprobation of the doctrines which the petitioners maintained. With respect to what the hon. and learned Gentleman had said of the separate legislatures of Jamaica, Halifax, and Canada, it must be remembered that, although they had separate legislatures, they were still parts of the United Kingdom. He wished to ask the hon. and learned Member for Clare, if he knew anything of the names that were affixed to the Petition? They appeared to have been signed in a moment of conviviality rather than at a serious meeting of freeholders. For instance, there was the name of "Paddy Bray," followed by that of "Billy Powder Bray."

Mr. *O'Connell* said, that those were the names of two of the registered freeholders of the town in which the meeting was held.

Mr. *Lockhart*, yielding to what appeared to be the general feeling of the House, withdrew his amendment.

The Petition brought up and read.

Mr. *O'Connell*, in moving that the Petition should lie on the Table, took the opportunity of refuting the charge that it was a Petition of a sectarian character, or concealed anything, or sought to attain by covert means, an object which the petitioners did not dare avow. He had not had anything to do with the formation of the Petition; it had been sent him by post, and he knew nothing of its existence till he received it. In presenting it to the House, he had stated its contents, scarcely offering any opinion of his own on the measure it alluded to, till other Members had made their remarks on it, and on him. Adverting to what had fallen from the hon. Member for Dover, he begged to observe to him, that even if that event which the hon. Member seemed to consider so impossible—a repeal of the Union with Ireland—were to take place, it would give to Ireland a House of Peers 156 in number, not six of whom would be Roman Catholics. He repeated, therefore, that the Petition was not a sectarian one. One of the signatures was that of a Protestant. As to the question respecting the repeal of the Union, he was not aware that any expressions had fallen from him on the subject which could be construed into a disposition that he sought illegally to effect that object. It would, indeed, be unbecoming in him to use any other than constitutional language on such a subject; but nothing under Heaven should deter him from looking forward to what would be at once highly useful and beneficial to Ireland, and not at all injurious to this country.

Mr. *Trant* said, he considered that the repeal of the Union would bestow the government of Ireland on the Roman Catholics.

IRISH TOBACCO.] The *Chancellor of the Exchequer*, in answer to a question from Sir John Newport, as to the intentions of his Majesty's Government to impose a duty on Tobacco in Ireland, said, that he had, on a former evening, stated that it was the intention of Government to place a duty on Tobacco grown in Ireland; and he had hoped that the bill on the subject would have been before the House at the present time; but delay had been occasioned in arranging the necessary details. He could assure the hon. Member that the parties interested were perfectly aware of the intention of Government to lay a duty on Irish Tobacco; for it had been expressed in a previous Session, when a bill for that purpose before the House was withdrawn. Since then, several applications had been made to Government to ascertain what it intended to do on the subject, and they had received for answer that it was the intention of Government to impose a duty on Irish Tobacco.

DECCAN PRIZE MONEY.] Mr. *Hume*, adverting to the question of the Deccan Prize Money, begged to ask the right hon. the Chancellor of the Duchy of Lancaster, one of the trustees for its distribution, in what state that property now was, as great anxiety existed on the part of many of the claimants to know when it was probable they would receive the remainder of their dividends.

Mr. *Arbuthnot* said, that after the appointment of the trustees, they were anxious to begin the payments at as early a period as possible. Not being able, however, to get the prize lists without a reference to India, the consequence was, that their progress was impeded; and the first payment was not made until September, 1826. The sum of 230,000*l.* was then drawn for and distributed to the actual captors, both in the army and navy; except about 8,000*l.*, which was paid over to Chelsea Hospital. The whole question was subsequently again brought under the consideration of the proper authorities, and it was decided that the Marquis of Hastings and the grand army were entitled to share in the Deccan prize money. There being no lists in this country, a Committee of Officers was appointed to give the necessary information, and to verify it. It was understood that the whole of the sums amounted to about 800,000*l.*, and the whole would have been paid, but for a communication from certain native bankers at Bombay, stating that a portion of the property belonged, not to the Peishwa, but to natives, subjects of this country. The Supreme Court of Judicature decided in favour of the natives. It was impossible, therefore, to draw the whole sum; 448,000*l.* however, was drawn, and distributed to the Marquis of Hastings and the grand army, with the exception of 20,000*l.*, which was paid over to Chelsea Hospital. The disposition of the remainder was referred to the consideration of the Privy Council, and the question would probably be determined in two or three months. Should it be decided in favour of the army of India, the trustees would immediately proceed to the distribution of it. The exact amount could not be exactly stated at the present moment; for there were sums arising in India to be added to it; but he believed he might state, that before the termination of the summer the whole would be put in a train of payment. The money was in the Treasury at Calcutta, bearing an interest of 5 per cent. Originally it was at an interest of 6 per cent, and so it remained until an order came from this country for the distribution of a portion of it, when the interest of the remainder was fixed at 5 per cent. It would be doing great injustice to the East India Company if he were not to add, that they had evinced the greatest liberality throughout the whole transaction.

FORGERY.] Mr. Sec. *Peel*, in presenting a Petition from the Society of Friends in Ireland, praying for a mitigation of the severity of the Criminal Code, and especially for the abolition of the punishment of Death for Forgery, said, although he could not himself consent to go the whole length of the prayer of the petitioners, he felt much pleased and flattered by their intrusting the petition to his care. He did not know any class of his Majesty's subjects in Ireland who were so exemplary in the discharge of all the duties and relations of life as those who were known by the name of Friends. There were none who exerted themselves more in the encouragement of local improvement, or who devoted themselves more earnestly to the relief of the distress by which they were surrounded.

Mr. *Lennard* expressed his regret at hearing the right hon. Gentleman say that he was not prepared to go the whole length prayed for by the petitioners with respect to the punishment of forgery. He (Mr. Lennard) had last Session introduced a bill on the subject; and he now gave notice, that early after the Easter holidays he would again call the attention of the House to it.

Mr. *Peel*, in explanation, said, that on Wednesday he would move for leave to bring in a bill to alter and amend the laws respecting Forgery. By that bill it would be proposed to abolish the punishment of death for forgery, in many cases.

Mr. *Lennard* replied, that he had then misconceived the right hon. Gentleman.

Mr. *Peel* rejoined, that all that he had meant to state was, that he was not prepared to acquiesce in the total abolition of the punishment of death for the crime of forgery.

The Petition read, and printed.

LAW REFORM.] Mr. *Peel* presented a message from his Majesty, which was read by the Speaker. It was to the following effect:—"His Majesty having taken into consideration the Report made to his

Majesty by the Commissioners appointed by his Majesty to inquire into the practice and course of proceedings in the superior Courts of Common Law, is desirous, with a view to improve and expedite the administration of justice in England and Wales, to be enabled to add to the number of Judges in the superior courts; and his Majesty relies on the liberality of the House of Commons to make such pecuniary allowance to the additional judges as may be suited to the dignity of the judicial station and the duties attached to it."

On the motion of Mr. Peel, an Address was ordered to be presented to his Majesty, thanking him for his most gracious Message, and assuring him that that House would take it into their most serious consideration.

Mr. *Peel* moved for a Committee of the House to consider the Message on Friday next. He did not intend, by considering the Address, to commit hon. Members to any approbation of the provisions of the Bill. Nor should he call on hon. Members to pledge themselves to anything till after Easter.

INDIA.] Mr. Stuart Wortley moved that there be laid before the House three letters, addressed by the Court of Directors of the East-India Company to the Governors and Councils of the three Presidencies, dated March 10th, 1830, and relating to the territorial finances of the East-India Company.

Mr. *Hume* wished to take that opportunity to ask a question, to which he trusted some hon. Member present connected with the Board of Control would give a satisfactory answer. It had been stated in the public prints, that considerable alarm had been excited in India in consequence of orders which had been sent out by the Government here, forbidding Lord William Bentinck to give those facilities for settling and taking land which his Lordship had been so willing to afford, with a view to encourage and facilitate the settlement of Europeans in India. He (Mr. Hume) wished to know whether that statement was correct, and whether such orders had been transmitted to Lord Wm. Bentinck?

Mr. *Stuart Wortley* said, he supposed the hon. Member referred to the statement which had appeared in the papers that morning, and in that case he could assure the hon. Member that great misconception existed on the subject. The facts of the case were simply these. There appeared in an unofficial periodical publication in the summer of last year, an article which purported to be an order from Lord Wm. Bentinck, holding out encouragement to Europeans to settle in India, to take lease of lands, &c. The Board of Directors never received an official copy of any such order; but seeing this article, they transmitted a letter to Lord Wm. Bentinck, apprising him of the publication of such document. The Board of Directors took that opportunity to refer his Lordship to the resolution which had been adopted by the Board on the subject, and which had been issued to Lord Amherst in 1824, and they at the same time intimated to his Lordship that he must abide by the terms of that Resolution. The Directors, in their communication to his Lordship, in no other respect altered the regulations which were in existence as to the settlement of Europeans in India; they merely intimated to him that he must abide by the terms of the Resolution of 1824. It appeared that this order, attributed to Lord Wm. Bentinck, was entirely unknown to the department of the Government of this country especially connected with India, and that circumstance was sufficient to create a suspicion that it had never been issued by his Lordship, and in confirmation of that suspicion he (Mr. Stuart Wortley) might state, that though this order had been published in this country so long ago as last July, no official copy of it had been received by the Board of Directors up to the present moment. The letter of the Directors, to which he had already referred, merely intimated to Lord Wm. Bentinck that he must abide by the terms of the Resolution issued to Lord Amherst, and there would be no objection whatever to laying a copy of that letter before the House. Returns ordered.

COMMITTEE OF SUPPLY.—GREECE.] The *Chancellor of the Exchequer* moved the Order of the Day for the House going into a Committee of Supply.

Lord *John Russell* would take that opportunity to inquire whether the House might shortly expect to have laid before it the papers relative to the affairs of Greece, mentioned in the Speech from the Throne at the opening of the Session.

Mr. *Peel* was not prepared at the moment to give an answer to the question; but if the noble Lord supposed that these papers were in preparation at the time that the communication was made from the Throne, he laboured under an erroneous impression. His Majesty merely stated in the Speech from the Throne that he "hoped at an early period to be enabled to lay before Parliament the particulars of the arrangement" in question.

Lord *John Russell* could not understand why these papers had not been in preparation before that time.

NUMBER OF ELECTORS.] The Marquis of *Blandford* inquired why certain returns for which he had formerly moved, to show the number of persons entitled to vote in the several cities, boroughs, and towns in the United Kingdom, had not been made out?

Mr. *Peel* said, the case was simply this. An Address was moved to his Majesty last Session, at an early period in the evening, shortly before the House adjourned, that there should be laid before the House a return of the number of persons entitled to vote in the several Cities and Boroughs in Great Britain. The return called for was of the number of persons entitled to vote, and it was impossible to make such a return, for it would be a most dangerous practice to allow the returning officer to decide upon the number of persons entitled to vote in any particular borough or city. A return could be furnished certainly of the number of persons who had actually voted at the last election.

Mr. *Hume* could not see what difficulty there was in the way of the returning officer making a return of the numbers that had actually voted, taken from the poll-books at the last election in each particular case.

Mr. *Peel* wished to know what inference could be drawn from the number that had voted at the last election? Many instances might occur where there had been no contest at all, and where, therefore, no such return could be made out.

Mr. *O'Connell* suggested that a distinction should be made between the returns as to counties and as to cities and boroughs. In the latter places the number of voters could be easily ascertained, as the persons qualified to vote possessed that right in consequence of being freemen or free burgesses, &c.

Mr. Secretary *Peel* said, it would be impossible to ascertain the number of scot and lot voters; and no return in that case, corresponding to the motion of the noble Lord could be made.

Lord *Nugent* observed, that the return contemplated by the hon. Member for Aberdeen could not be made out correctly; for instance, as regarded the borough which he (Lord Nugent) represented. In 1818, 1,400 persons voted at the election in that borough; and since that period many who possessed the right to vote there had lost it, while the right to vote had been acquired since by others, who did not vote on that occasion.

The Marquis of *Blandford* wished to know whether he was to understand that the motion which he had made upon a former occasion, and to which no opposition was then offered, could not be complied with?

Mr. *Peel* observed, that it would be more convenient if the noble Lord would give notice in future when he introduced motions of that description. No opposition had then been offered to his motion, because no person was aware that he intended to bring it on.

Mr. *Hume* was desirous to know what was the purpose for which it was proposed to go into committee on this evening? was it intended to vote the Ordnance Estimates, upon this occasion, in a Committee upon the Navy Estimates, and before the House was prepared to go into the Ordnance Estimates? He should certainly object to such a course of proceeding, though he should have no objection that a certain sum, which might be necessary to meet the present expenses of this department should be now taken upon account.

The *Chancellor of the Exchequer* said, that a certain sum was necessary at present for the public service in this department. His hon. friend intended to take a vote upon account for 200,000*l.* to meet the existing exigencies, and the Ordnance Estimates would be left open for discussion by the House on a future occasion.

COLONIAL EXPENDITURE.] Lord *Althorp* wished to put a question to the right hon. Gentleman opposite, relative to a matter adverted to in his speech the other evening. The right hon. Gentleman then stated that it was the intention of his Majesty's Government to institute an inquiry into the expenditure of the colonies.

He was anxious to know how far that inquiry would go, and whether the inquiries of the commissioners would be confined merely to the colonial expenditure, or would extend to the constitutions under which the Colonies were governed. Such an inquiry he thought would be very useful.

The *Chancellor of the Exchequer* said, it was not intended that the Commission in question should at all meddle with the constitutions of the Colonies. The object of the commission was to make a thorough review in detail of the colonial expenditure, for the purpose of effecting as much saving in that way as would be consistent with the public service. The proceedings of the commissioners would be submitted afterwards to the consideration of the House, and it would be for the House then to determine how far their recommendations might be acted upon.

Mr. *Hume* wished to know who were to be the commissioners, how they were to be paid, and where they were to sit, and how long they were to continue their investigations. It appeared by a return for which he had moved, that commissioners had already cost the country upwards of 1,000,000*l.* in the space of twenty years, without producing any public benefit; and he therefore hoped that this, like other commissions, would not be followed by an useless expense without any public advantage. Fearing that it might, he should be disposed to object to the commission, unless he first knew who the commissioners were to be, and unless he obtained answers to his other questions.

The *Chancellor of the Exchequer* said, he had already stated that this commission would be advantageous to the public, without imposing any new expense upon the country. It was to be composed of persons connected with the Government, and practically acquainted with the Colonies. No new expense whatever would attend the appointment of such a commission.

Sir *R. Wilson* wished to know whether the inquiries of the commissioners would be extended to the Canadas?

The *Chancellor of the Exchequer* replied in the affirmative.

Mr. *Maberly* conceived that some reasons for the measure should have been laid before the House, before the commission had been appointed. He should also like to know if the materials on which the commissioners would have to work were all ready.

Mr. *Bright* was of opinion, that some new light should have been thrown upon the subject, before the appointment of the commission had taken place.

The *Chancellor of the Exchequer* observed, that the mode which had been chosen had been selected as most advantageous and convenient. When the report of the commissioners should be presented, it would be in the power of the House to pronounce its opinion on the subject.

The Order of the Day was read and the House went into a Committee of Supply.

ORDNANCE.] Mr. *Perceval* moved that the sum of 200,000*l.* be granted to his Majesty towards defraying the expenses of the Royal Regiments of Artillery in Great Britain, Ireland, and the Colonies, for the year 1830. He wished to state that this vote was asked on account, and passing it would not preclude discussion on the Ordnance Estimates. Vote agreed to.

NAVY ESTIMATES.] Sir *George Clerk*, in proceeding with the remaining Navy Estimates, said, that the first vote he had to propose regarded the civil departments connected with the Navy, comprising the Admiralty, Navy-pay Office, Victualling Office, &c. In this Estimate a reduction to the amount of 1,710*l.* had been made this year. It would have been greater but for the large establishment connected with the office of the Treasurer of the Navy; but when the out-prize, and other parts connected with that office, should be better arranged, he was sure that his right hon. friend, the Treasurer of the Navy, would be able to effect considerable reductions in that establishment. The hon. Baronet moved that the sum of 180,017*l.* 11*s.* 7*d.* be granted for defraying the salaries of the officers and other contingent expenses of the Admiralty, of the Navy Pay Office, and the Victualling Office.

Mr. *Hume* objected to the taking of all these votes together. They should be taken separately. He submitted that the first vote, that of 52,216*l.* 5*s.* 1*d.* for the Admiralty, should be first put.

Lord *Howick* agreed with the hon. Member for Aberdeen, and could not but censure the practice of voting in one lump the expense of five different departments. Different Members might object to different portions of these expenses; for example, the hon. Member for Aberdeen objected to the vote for the Admiralty, which did not appear to him too large, though he objected to the next sum. He hoped, therefore, that the votes for the different departments would be put separately.

Sir *G. Clerk* said, if it were considered more convenient for the Committee, he would propose the votes separately. The hon. Baronet then moved that the sum of 52,216*l.* 5*s.* 1*d.* be granted for defraying the salaries of the Officers, and other contingencies of the Admiralty Office, for the year 1830.

Mr. *Hume* wished to call the attention of the House to a portion of this Estimate which had been incidentally mentioned a few nights ago; he meant the sum of 2,960*l.* which was asked for the establishment of the Paymaster of the Marines. Immediately following the estimate then before the Committee there was the estimate for the Navy Pay-office, amounting to 32,033*l.* 1*s.* 6*d.* He contended that the former office should be consolidated in the Navy Pay-office, and by that means a saving would be effected for the public, to the extent of 2,960*l.* Nothing was more objectionable than the maintenance of such distinct departments. The department of the Marines being essentially connected with the Navy, should come under the Paymaster of the Navy. 600*l.* had been struck out of the estimate last year as the charge for the Paymaster of Widows' Pensions; but the over-charge for Paymaster of Marines was continued, notwithstanding the unanimous opinion of the Committee of Finance. The Government might perhaps be afraid that the recommendation was too economical. This would furnish one reason for the dissolution of the Committee, and perhaps the composition of the Committee would supply another. He thought, upon the simple principle that there should be no division in the administration of the same species of affairs, that the half-pay of the Marines ought to be brought under the Paymaster of the Navy; and he accordingly contended that the system which put this arm of the service under the management of a separate officer was prejudicial, because it tended to keeping up two departments, when one would do. He had moved a few days before for an account of the contracts of the Navy, Army, and Ordnance, with the view of showing how the present system worked. Some few years ago it was the practice for each commissary in the various departments of the Navy to draw the money for his own department; but under the direction of the Master of the Mint an end had been put to this plan, and it had been decided that one individual commissary (as for instance the commissary for Jamaica) should draw the whole sum of money required for abroad, and that all the others should receive their appointed portions from him. This he thought was at once a wise and economical regulation. Now he found from a paper he held in his hand, that there were seventy-four contracts made by the Paymaster of the Marines for supplying coals, candles, water, &c.—bricklayers and materials—carpenters and materials, and God only knew what other articles beside; he would therefore ask this question—whether, since the Army was provided for by one department, (the Commissariat,) the Navy might not be managed after the same manner? Why should not all contracts for the Navy and Marines be settled and paid for at the Navy Pay-office? He wished that a statement of the separate expenditure of the Marines should be put in the Navy Estimates. He saw, from a paper in his hand, that there were 71,000*l.* for Officers, 245,000*l.* for Non-commissioned Officers and Privates, and 40,000*l.* for barrack and other expenses. Now, he begged to know how it came to pass, that after the transferring of the Barrack department for the Army to the Ordnance department, these barracks for Marines should be retained under the superintendence of the Paymaster of the Marines? He was decidedly of opinion, that the Barrack, Pay, and Clothing departments ought to be consolidated; the first should be added to the Ordnance and the remainder to the Navy-office. He admitted that the gentleman who filled the office of Paymaster of Marines might be very well qualified for his situation, and he meant no reflection on him, but the situation ought, he thought, to be abolished. He hoped the House would support him in the amendment he should propose. If his Majesty's Ministers had not stated their anxiety to effect all possible reduction in the expense of the public service, he would not have thought them so blameable in not consolidating departments, when they were making the arrangement respecting the Treasurership of the Navy. He would be glad to hear the reasons that might be offered in opposition to his recommendation; but, if they were not satisfactory, or the vote for the officers' salary be not withdrawn, he would certainly take the sense of the Committee upon the propriety of putting down this grant.

Mr. *Croker* said, the hon. Member had observed, that the office of Paymaster of the Marines was expensive and unnecessary; the first it confessedly was; but as to the second, it appeared from the hon. Gentleman's own admission, that these duties which, he contended, might be transferred to another department, were numerous and important. Now, his strong impression was, that there could be no more sure way of creating confusion in the public service, and imposing on the country an increased expense, than that of uniting the Marine barrack department with the Ordnance. The Paymaster of the Marines did a great deal of duty in his double capacity; for he was not only a Pay-officer, but an officer of inspection and control: he was Paymaster and Inspector-general of the Marines. Now, the hon. Member, in the first place, asked why the Marine barracks were not brought under the superintendence of the Board of Ordnance. But, in fact, there was an essential difference between the management of the Army barracks and those for Marines. In the first, there was a constant change of inmates: one regiment marched out—another supplied its place; but the other barracks were constantly occupied by Marines, and therefore the accounts must necessarily be kept in a very different manner. The attention of the House had been called to the state of these barracks at different times; and, he believed, it must be admitted on all hands, that the expenditure, under the superintendence of the Paymaster of Marines, had been diminished in as great a degree as it could have been under any other Administration. The numbers in the barracks were invariably the same, and the average amount of expenditure for the seven years previous to the appointment of the Paymaster was 16,800*l*., while the average for the fourteen years subsequent had been brought down to 9,400*l*. And after the change had taken place, Mr. Tierney rose in his place and moved a compensation to each of the officers previously engaged in the department, amounting to 300*l*. or 400*l*. a year, in consequence, as he stated, of the new system, which was so economical that the country could well afford to pay the 1,000*l*. or 1,200*l*.; and so it had proved, for there was a saving of nearly one-half in the expenditure. A similar improvement had likewise taken place in another more trifling article. The average expenditure on the Infirmary, for the seven years previous to the appointment of the Paymaster, was 1,271*l*.; it had been since reduced to 192*l*. If the hon. gentleman were to abolish the office of Paymaster of the Marines, the duties of the office might go on elsewhere, but they could not be carried on without additional hands; and if there were persons unemployed in any office it would be for the hon. Gentleman to show it, that they might be at once reduced; but for himself he must say, that he did not know any office to which the addition of such important duties could be made, as those of the Paymaster of Marines, without a proportional increase of hands. The hon. Baronet opposite (Sir H. Parnell) had suggested in his work the propriety of appointing a general pay-board in this country; and this, undoubtedly, might be the case; but he believed there was no more sure way of creating confusion and expense than that of mixing up heterogeneous matters for the superintendence of the same department. Besides, it would only be a change of names—if they ceased to have a Paymaster, they must have a Commissioner of Pay—if they ceased to have an Inspector, they must have a Commissioner of Inspection. The office, in fact, let it be called by what name it might, could not be dispensed with, for there was no officer to whom there was more constant reference, none who was more frequently required to appear before the Admiralty Board than the Paymaster of Marines. The hon. Member had admitted that he had nothing to allege against the present Paymaster of the Marines, indeed a more zealous and able officer was not to be found. He had filled other situations with honour, and he had been appointed to his present situation because he was admirably qualified to perform its duties. The hon. Member has stated that the office was unnecessary, but on this point they were directly at issue. He was ready to contend that the office was necessary, and even indispensable. The House had, therefore, to decide between them: and considering his long experience, and the absence of all personal interest, he thought his evidence upon the matter was entitled to higher consideration than that of the hon. Gentleman. The Admiralty had done every thing that it could, consistently with prudence and sound policy, to consolidate offices; but the consolidation proposed by the hon. Gentleman would be only creative of confusion and expense.

Sir *H. Parnell* said, that the hon. Secretary of the Admiralty might have urged all his present arguments against the former consolidation of the Barrack Department with the Board of Ordnance, which had been found so beneficial. Indeed no measure of economy was ever recommended which did not find Gentlemen to oppose it, in speeches similar to that the House had just heard, sitting on the Treasury benches. It was their business to persuade the House that reductions would not benefit the nation. The speech of the hon. Gentleman was not only an answer to the hon. Member for Aberdeen, it went to contradict the Treasury Minute of 1822, by which the consolidation of offices was recommended, its utility explained, and its applicability to all departments enforced. He was convinced that if this speech were written out, and so subjected to the examination of the Committee, that they would see reason to decide that it contained more sophistry than solid reasoning. Unless the House were to resist such sophistry, and say once for all, you must reduce your expenditure, we will give you no more than a certain sum—he was afraid no extensive reduction would ever take place. Before he gave his opinion upon totally abolishing the office, he wished to say that the present Paymaster of the Marines, whose merits he had admitted, had certainly made several reductions in his department, but this by no means proved those reductions to be sufficient. With all that Gentleman's zeal and ability, however, the reductions he was capable of making would not satisfy the public. After considering the matter well, he was convinced that the office might be done away. There were two sets of officers to two sets of barracks, and two sets of hospitals and two sets of accounts, one set of each being unnecessary. The Finance Committee was convinced that no part of the management of the public money required more immediate revision, for the present system gave no security, while it was confused and complicated. In his opinion all payments whatever should be made by a distinct department, and a system of audit should be established, in which the demand should be examined before any money was paid. The system of payment by one department was adopted in France, in other countries, and had been found to answer extremely well. So far as he could understand the whole system by which thirty millions of public money were annually paid in France, it seemed to him well worthy of the imitation of Great Britain. At all events he trusted that the payment of the public money would be taken into consideration by the Government, and that the system would be simplified. He meant to support his hon. friend the Member for Aberdeen.

Mr. *Maberly* said, the question to be decided was, if that office were necessary. He contended that it was not. The Pay-office of the Navy might pay the 10,000 marines in addition to the 19,000 seamen; and the duties of inspection might be performed by the General, Lieutenant-general, Major-general, or some of the other officers of the Marines who were so highly paid. He was convinced that this department was of no advantage to the public, and that its duties might be quite as well discharged, and at less expense, if they were arranged in the manner he had proposed. With respect to the Marine barracks, and the clothing for the marines, both these departments ought to be, he thought, transferred to the Ordnance, which already provided the clothing and stores for the artillery, and had the general inspection of barracks. He felt so strongly concerning the manner in which these matters were now arranged, that he was almost disposed to call the arrangement by the odious name of a job; the whole of the expenses, both for paying the marines and separate inspection of their barracks, being, in his opinion, wholly unnecessary.

Sir *G. Clerk* defended the propriety of the arrangements now made in the department, and contended that no alteration of the sort proposed could be anything but injurious. In his opinion, the department, as it was now constituted, was most economically managed, and considering what its duties were, he did not think that the sum of 3,000*l.* a-year, now paid for them, could be considered as any great charge upon the public. The duties of the office had been increased of late years, for by an order of the Lord High Admiral, the clothing department of the marines was now added to its other labours. That alteration had only been effected a short time since, but during that short time it had proved to be a great public improvement. The marines had different pay and different allowances from the regular army, and great confusion would ensue if they were to be paid by the same department. He was convinced that the alteration proposed would create expense instead of saving money to the public. The hon. Member opposite had alluded to the General, Lieutenant-general, and Major-general of Marines, and had spoken as if these could be dispensed with. He begged to observe, in reply, that these offices were given as rewards to naval men who had served their country in a distinguished manner, and he was sure that the country would not grudge them these rewards. He would not consent to the alteration, because the duties of the Paymaster of Marines were now well discharged, and the consolidation or distribution proposed by the hon. Member was not likely to be profitable.

Lord *Howick* observed, that the opposition made to the Amendment was founded on the assertion of the great labour imposed upon the Paymaster of the Marines, in discharge of that part of his duty which consisted of inspecting the marines when on shore. He could not think that objection well founded, or, if it were, it might, as it seemed to him, be easily removed. When at sea, the marines were under the same discipline and regulations as the navy. He could not understand why, when the marines were on shore at different parts of the kingdom, but especially at Portsmouth, where the greater part of the duty was performed, the inspecting officer of the neighbouring garrison could not perform the duty of inspecting the marine corps and the marine barracks. If that were done, and he saw no possible objection to it, the great point on which the defence of the office was now rested would be removed. He trusted that the hon. Member for Aberdeen would either move a resolution to consolidate the offices now, or one which should pledge the House to adopt some step of that kind in the early part of the next Session.

Mr. *Hume* said, that his object was, to reduce the grant by one-half, and he proposed a vote which would have the effect of producing that end now, if at all. As to any resolution that pledged the House for its conduct next Session, he feared little good would come of it. It was given in evidence before the Finance Committee, that there were ten or twelve clerks in the Paymaster's department unemployed which was a reproach to the chancellor of the Exchequer. Not one of them, he believed, had yet been reduced; and therefore he saw no other way of dealing with the question but for the House to compel the Ministers to make reductions by refusing to grant them money. He saw no reason, from what he had heard, to alter his opinion on the subject of the office of Paymaster. As to the business of inspection, there were now four Colonels-commandant and nine Lieutenant-colonels-commandant saddled upon the country, at an expense of 13,000*l.* a-year, which did not seem to him at all necessary; but at any rate, they might perform all the duties of inspection. As to the clothing, that might be transferred to the Ordnance. He was certain that no inconvenience would follow from this Motion being carried; and he should, therefore, persist in his intention of dividing the House upon it. The hon. Member then moved, as an Amendment, that the sum of 50,696*l.* be inserted in the grant instead of 52,126*l.*

Mr. *Portman* did not intend to trouble the House at any length, but could not refrain from saying that these offices were defended in a manner in which there was more of fallacy and sophistry than he had ever before heard, and which depended on those old and worn-out excuses that might be brought forward in support of any kind of abuse. He thought it necessary that the Committee should express their opinion strongly on the subject, for if not, the Government would not come down as they ought to do next Session, and make the further reductions which were yet absolutely required. He called, therefore, on the Committee to mark their sense of this vote, and in that manner to strengthen that portion of the Government which was really favourable to the reduction of the public burthens.

The *Chancellor of the Exchequer* protested against the doctrine which some Members seemed inclined to inculcate, that any particular vote of which they happened to disapprove showed the Government not to be sincere in their wish to diminish the public burthens. The question was, whether the business of the office now under discussion could be more cheaply or efficiently performed? On his side of the House they answered that question in the negative; while, on the other side, it was answered in the affirmative—on consideration, at least, that the business was transferred to other departments. The consolidation of business in the manner recommended might be carried too far. If it went beyond a certain extent, he did not think it would much conduce to the advancement of public economy. As to the old and worn-out excuses which the hon. Member had spoken of, he would only observe, that it was impossible on such a subject as this to bring forward anything but old and worn-out arguments, especially after the discussions which had recently taken place upon it. He could not but think that the alterations proposed would rather complicate than simplify the business of these offices, and increase instead of diminishing their expense.

Lord *Althorp* could not conceive how the proposed distribution of duties could complicate the business of the office, when it was recollected that at this moment the Paymaster of Marines was a Military Paymaster, an Inspector of Marines, and a contractor for their clothing, all at the same time, and that the alteration suggested was, to divide these "complicated duties" among different departments. He should vote for the Amendment.

Mr. *Bright* should support the Amendment, for he saw no reason for keeping up such an expensive establishment for the superintendence of only 9,000 men.

The House then divided, when the numbers were—For the Amendment 90; Against it 130; Majority 40.

List of the Minority.

Althorp, Lord
Anson, hon. G.
Bankes, H.
Baring, Sir T.
Baring, F.
Benett, J.
Bernal, R.
Bentinck, Lord G.
Blake, Sir F.
Blandford, Marquis
Bright, H.
Brownlow, C.
Buck, L. W.
Buxton, J. J.
Calthorpe, hon. A.
Carter, J.
Cavendish, H.
Cavendish W.
Cholmeley, M. J.
Clive, E. B.
Davies, Colonel
Denison, J. E.
Dickinson, W.
Dick, H.
Duncombe, T.
Dundas, Sir R.
Dundas, hon. T.
Euston, Lord
Fane, J.
Fazakerley, J. N.
Fyler, T. B.
Gordon, R.
Guest, J. J.
Guise, Sir W.
Harvey, D. W.
Heneage, G. F.
Heron, Sir R.
Hobhouse, J. C.
Howick, Lord
Jephson, C. D. O.
Killeen, Lord
Labouchere, H.
Lambert, T.
Lennard, T.
Lester, B.
Lloyd, Sir E. P.
Lumley, S.
Martin, J.
Maberley, J.
Macdonald, Sir J.
Marjoribanks, S.
Mildmay, P.
Monck, J. B.
Nugent, Lord
O'Connell, D.
O'Grady, Colonel
Osborne, Lord F.
Orde, W.
Parnell, Sir H.
Peachey, General
Phillimore, Dr.
Philips, G.
Ponsonby, hon. G.
Ponsonby, hon. F.
Portman, E. B.
Power, R.
Price, Sir R.
Protheroe, E.
Pryse, P.
Ramsden, J. C.
Robinson, G. R.
Russell, Lord J.
Scott, hon. W. H. J.
Seymour, Colonel
Sibthorp, Colonel
Smith, V.
Stanley, Lord
Townshend, Lord C.
Trant, W. H.
Vyvyan, Sir R.
Waithman, Alderman
Warburton, H.
Webb, Colonel
Wells, J.
Wilson, Sir R.
Winnington, Sir T.
Whitbread, W. H.
Whitmore, W. W.
Wood, C.

TELLER.
Hume, J.

On putting the Motion on the original Question,

Mr. *Hume* inquired to what purpose the grants for nautical inquiries had been applied?

Sir *G. Clerk* replied, that the principal expense under this head was caused by the experiments made under the control and direction of Sir G. Brisbane.

Mr. *Portman* said, he had had the intention of taking the sense of the House upon making certain deductions from the salaries of Officers in the Admiralty. His plan would be, to effect a deduction of fifteen per cent from the salaries of the higher officers, ten per cent from those of a lower class, and five per cent from the lowest. He thought it fair that those officers should not be the only persons to escape the effects of the change which had taken place in the currency; but as it was the intention of the hon. Baronet, the Member for Cumberland, to bring that subject under the notice of the House, he was induced to postpone the proposition for the present.

Vote agreed to.

Sir *George Clerk* then moved, that 32,033*l.* 1*s.* 6*d.* for the salaries of Officers and contingent expenses of the Navy Pay Office for the current year, be granted to his Majesty.

Mr. *Vernon Smith* addressed the Committee for the purpose of moving an Amendment. He was then anxious to do so, as he had been diverted from voting as he wished on Friday week by the solemn appeal made to the House by the Secretary of the Home Department. The House were then called on by the hon. Secretary not to condemn him and the Administration for one single act, but to judge them by the whole of their conduct. When placed on that footing, he had not felt himself disposed to pronounce a general condemnation, but as then refusing to grant a salary for the Treasurer of the Navy would imply no such general condemnation, he meant to propose an amendment to the effect, that a reduction of 1,200*l.* be made in the salary of Treasurer of the Navy. The large salary which that officer possessed could not be defended, he conceived, on the ground of any weighty responsibility to which he was exposed; for in the event of there being any default, indemnity was scarcely ever refused. Whenever a subordinate officer happened to become a defaulter, application was immediately made to that House on his behalf; and they always felt bound to let the public suffer rather than the individual. Hon. Gentlemen were sure to get up in their places, and say that the principal officer was the most worthy and honourable person in existence; and that he should not, upon any account, be allowed to suffer for the default of his subordinate; so that it was a mere pretence to say that the high salary was maintained on account of the responsibility. Again, there could be no pretext for maintaining the salary up to its present amount on account of any change made in the nature and circumstances of the office—no new duties had been attached to it. He desired to see a reduction in the present vote of 1,200*l.* He was perfectly ready to acknowledge that a reduction of 12,000,000*l.* would not afford the relief which the necessities of the country required; but he wished, by even cutting down 1,200*l.*, to show a suffering people that some sympathy was felt for their sufferings by the body who represented them. As an Amendment, he moved that "The vote be 30,833*l.*"

Sir *George Warrender*, though he wished to see economy, could not consent to the proposed reduction. The office of Treasurer of the Navy had always been held by a person of respectability, and it was important for the service of the country that it should so continue to be held. The Finance Committee of 1817 had recommended, that that office should be continued, while the salary attached to it had, in his opinion, been cut down in the present estimates. He was fully convinced that, without serious disadvantages, the emoluments of that office could not be diminished. Reductions of salary were perfectly distinct from the matter brought under the consideration of the House by the hon. Member for Cumberland. Whatever votes might have been given upon that question, none of them implied any pledge with respect to the present. It was likewise of importance to be remembered, that neither the right hon. Member for Liverpool, nor any other gentleman who held the office, had ever said that the salary admitted of reduction, or that the office could be dispensed with. He believed, even, that the office of Paymaster of the Navy, which it was in contemplation to abolish, would be retained, for it could not be, in fact, dispensed with. The Amendment he certainly should oppose, for he was altogether of opinion that Ministers had made all practicable reductions, and he thought they were entitled to the confidence of the House. For his part, he candidly acknowledged that he relied more upon his Majesty's Government for effecting useful reductions, than upon any amendments which might be moved in that House. Reduction was in the hands of the Government, and to them it might be safely confided. So he thought, and such he was sure was the general sentiment of the country.

Mr. *Bankes* would support reduction, but not exactly in the form in which it was then proposed to the House. But for the Amendment before the Committee, he intended to have moved an amendment, the object of which would have been to carry into effect the purpose of the motion made a few evenings since by the hon. Member for Cumberland. The Government had admitted the office of Paymaster-general to be useless. He therefore wished to try the sincerity of their professions of economy by seeing whether they would consent to its abolition, and his amendment would have been, had he preceded the hon. Member, to abolish the salary of the Paymaster. It was necessary to ascertain whether offices were intended for the benefit of the public, or the advantage of the individuals who held them. The true way for his Majesty's Government to prove the sincerity of their professions with respect to economy would be to shew, in questions of that nature, that they regarded the public interest more than the interest of the individual. His experience however of all discussions like the present was, that the interest of the public was looked upon as nothing, while that of the individual was looked upon as every thing. It was perfectly vain and futile to talk or think of economy so long as the interest of the public was postponed to that of every individual which might happen to be opposed to it. He hoped the hon. Member who had moved the Amendment would withdraw it, and allow him to move a resolution, the object of which would be to grant only the next half-year's salary to the Paymaster-general.

Mr. *Labouchere* concurred with the hon. Member for Corfe Castle, and stated that he would not vote against the ministry as to the abolition of the office of Treasurer of the Navy, because such a vote would have implied a censure on the Administration.

Mr. *C. Wood* said, he had voted for the motion of the hon. Member for Cumberland, for abolishing the office of Treasurer of the Navy, because he thought the Government might have made a more economical arrangement, and that it was the business of the House to compel Ministers to adopt such an arrangement. It appeared by the statements of the hon. Members opposite, that two offices were kept up while one was sufficient, and while the Paymaster, according to the admission of the Secretary to the Admiralty, did the whole business both of Treasurer and Paymaster. To him therefore it was extraordinary that the efficient office should be abolished and the inefficient retained. The responsibility of the Treasurer had been dwelt on, but in fact, when put to the proof, that turned out to be no responsibility at all. The office of Treasurer of the Navy was plainly therefore a sinecure. It had been stated too, that the Treasurer might not only do the duties of his office and attend in Parliament, but also that he had time to look after what had been called the floating and unattached business of the Government. What then was the saving proposed by the abolition of the office of Paymaster? The Treasurer received a salary of 2,000*l.* with a proportionate superannuation, and the Paymaster had 1,200*l.* also with superannuation.

Sir *G. Clerk* said that was not the case.

Mr. *C. Wood*, in continuation. Well, at least the Paymaster was to be continued till he could be otherwise provided for. If his proposition were agreed to, the Treasurer should be dismissed and the Paymaster alone retained, by which 2,000*l.* a year would be saved. That it had been recommended in 1817 that the office of Treasurer of the Navy should be retained was no argument with him to be put in competition with the fact, that a salary of 2,000*l.* a year was given for doing nothing. The evidence before the Finance Committee shewed that the Paymaster did all the duties, and he would rather augment his salary than give the Treasurer a farthing. As the consequence of pressing his views might, however, only lead to a division among those who were friendly to economy, he would propose no additional amendment, but content himself by voting for the amendment already moved.

Sir *George Clerk* said, that each of the Members who opposed the vote, did it on different grounds, though only the hon. Member who spoke last advocated the abolition of the office of Treasurer of the Navy. He had been already answered by the hon. Baronet (Sir George Warrender). As to what had been stated by the hon. Member for Corfe Castle, he must reply, that it had been regulated that the Treasurer of the Navy was to be made an efficient officer, and the paymastership put an end to, as soon as the meritorious officer who now held that place could be provided for. The present grant, as proposed, was only for six months; and it was the firm intention of Government to provide for the gallant officer who held the place in some other way as soon as possible.

Mr. *Bankes* said, that he understood the Government, on the previous debate on this subject, to have pledged itself that the office of Paymaster should be immediately got rid of.

Sir *G. Clerk* said, no such pledge had been given by him, or with his knowledge. He always understood that it rested upon the contingency of Government being able to find some other suitable office for the present occupier. What he had then stated was, that there would be an immediate saving of 1,000*l.*, and that when the Paymaster could be provided for, there would be a saving of 2,200*l.*

Mr. Alderman *Waithman* agreed entirely in the observations of the hon. Member for Dorsetshire, and would certainly vote with him on the present occasion. He, for one, would never agree to the keeping up of a useless office, until the individual who held it could be provided for. The Admiralty ought to be compelled to act up to its profession of economy, and compelled immediately.

Mr. *F. Baring* said, that the only argument he had heard in favour of the vote was, that the services of the gentleman who held the office of Paymaster had been active and efficient, and that it was the duty of the Government to retain him in that situation till he could be otherwise provided for. To that argument he could never agree. He had lately observed, that seventy seamen, who held trifling situations on board ships at Portsmouth, had been discharged, and he should be glad to know whether Ministers had waited until these brave men, who had fought and bled in the service of their country, were provided for, before they were sent adrift? At another place one hundred and twenty men were dismissed with a very short notice. He had, a few days before, received an account of thirty families thrown out of the employment of Government, without any notice or provision whatever. He knew no individuals who had such claims on the rewards of the country, as these seamen, who were often compelled to enter its service. It would be most unjust therefore if Ministers kept a single officer in employ for an hour more than he was wanted, while they discharged these poor seamen, and left them to starve, unprovided and unpensioned. Their services had not been limited to the Victualling or the Navy office; their duties had led them under tropical suns and amidst the ice of the poles; they had braved storms and battles, and if they were to be turned off, while a ministerial office was to be kept up to reward the services of some man who had at most never braved any other storm than that of a debate, the people might with justice cry out against the Government and the Parliament. It appeared, indeed, that while these men, who had actively served their country, might be sent to the parish for relief, one of his Majesty's servants must be made a burthen to the public, till a pension could be found to suit him. After this, let them hear no more about a desire to relieve a suffering people. After this, let there be nothing said about plans of retrenchment and economy.

Sir *George Clerk* said, if the hon. Member had but looked a few pages further in the Estimates he would have seen that there was an ample vote to enable Government to reward those seamen who had served their country. It was a great mistake to suppose that seamen who had served their country were turned adrift without any provision being made for them. But if he were not mistaken, the persons to which the hon. Member had alluded, were men who had been in the Ordinary at Portsmouth, and who had been snugly housed there for many years. Many of them had pensions, however, and all who had claims would be provided for, though some of them had not served a sufficient time to entitle them to a pension.

Mr. *Maberly* said, that it appeared on all hands that the office of Treasurer of the Navy was a sinecure; and yet it was the sinecure officer that was to be preserved, and the other that was to be dismissed. The proper mode of acting was to get rid of the sinecure, and give the man who did the business an ample remuneration. This scheme of the Government was very like its other schemes which promised economy: as for example, the Chancellor of the Exchequer announced a saving in the Victualling-office; but the fact was, that there had been an increase of nearly 200*l.* It was said too that there would be a saving in the Navy-office of 2,900*l.*, but he found superannuations ~~to~~ the amount of 4,000*l.* He called on the House to continue the office of Paymaster and refuse the salary of the Treasurer.

Mr. *Peel* observed, that out of the five speeches that had been made against the item, four of them contained different and distinct propositions as to the two offices. This was of itself sufficient to prove that it was a matter of extreme difficulty for his Majesty's Ministers to bring forward a proposition with respect to this situation that was at all likely to produce unanimity. He denied that there was any difference in the language held by Ministers on the present, and on the former occasion. They asserted that there would be an immediate saving of 1,000*l.* a year, and that eventually the saving would amount to 2,200*l.* per annum, and they said so still. Their object was, to continue the office of Paymaster until some provision might be made by the falling in of a situation connected with the patronage of the Crown, for the person who now holds it, instead of saddling the country with a pension. He thought it would be very unjust to remove a distinguished naval officer from the situation, without granting him an adequate provision. The Estimates had been for some time in the hands of the Members, and therefore it could not fairly be urged that the House was not aware that the vote was to be proposed. Neither was it just to insinuate that the Government were taking this step for the purpose of keeping up its patronage; because in this case, they were providing for an individual whose brother, his right hon. friend, the Member for Liverpool, had voted against them on this very question, the object of which vote, had it been successful, would have been to have turned the Ministers out of office. They therefore might be wrong in judgment, but was it possible to say that they were acting from any corrupt motive? He would give the House this assurance—that the office of the Paymaster of the Navy should never again appear in an Estimate. They had never contemplated its appearance there; but when the Motion was made the other night, he did expect that Parliament would make the provision for one year. If within two months an opportunity of a vacancy should occur, the Government would take advantage of it, and in preference to any political claim, would give the appointment to this officer. But it was possible that no such vacancy would occur, and he therefore trusted that the House would not compel them to turn this individual out of office without any provision whatever.

Lord *Howick* said, that he took a similar view of the subject to that taken by the hon. Member for Abingdon. The sum, it must be admitted, was small; but economy was not for him the most important consideration. The House had then in its power to remove one dependant on the Government from the House, and as there was already more than a sufficient number of members of Government in the House, to get rid of one would be a constitutional benefit. The effect of agreeing, to the vote would be, to confirm the Treasurer of the Navy a political officer, dependent upon the continuance of Ministers in their places, for his situationin that House. He did not so much regard the expense as the influence, and he should willingly vote for the total abolition of the office.

Mr. *Trant* supported the Amendment, in order to compel Ministers to immediate economy.

Mr. *D. W. Harvey* called upon the Member for Radnor to put an end to the debate, by stating whether he were willing to hold the office of Honorary Treasurer of the Navy until the Paymaster of the Navy was otherwise provided? If he would do that, the vote would be unnecessary.

Mr. *F. Lewis* observed, that he had no wish to accept of the office as a sinecure. He would rather have an office full of business. The hon. Member asked, whether he would consent to perform the duties of the office without salary? That was a question on which he as an individual could not decide. It was for the House, and not for him, to decide how the duties were to be performed, and how the person performing them was to be remunerated.

Mr. *Hume* hoped that the House would not consent to any compromise, but decide the question upon principle. He did not see in what respect the King could be said to want patronage, or how he could use it to save the public purse. [*Order*] He supposed that the interruption must proceed from some very new and young Member, who had never heard the Minister talk of the King's patronage, and of the patronage of the Crown. His ears must be extraordinarily delicate to be offended at what he had said.

Mr. *Peel* lamented that his argument had not penetrated the understanding of the hon. Member, who must be extremely pugnacious if he were disposed to quarrel with the very modest proposal of Ministers. The experiment he wished to try was, whether the office of Deputy could not be abolished—the principal being required to discharge the duties. If it should turn out that the experiment failed, he would undertake that in the estimates of next year only 2,000*l.* should be taken for the salary.

Mr. *V. Smith* said, that having elicited this information from the right hon. Secretary, he should beg leave to withdraw the Amendment.

The Committee then divided on the original Question, when there appeared for the original Motion 155; against it 69; Majority 86.

List of the Minority.

Althorp, Lord
Beaumont, T.
Bright, H.
Benett, J.
Blandford, Marquis
Baring, F.
Blake, Sir F.
Buck, L. W.

Cavendish, W.
Cavendish, H.
Carter, J.
Cholmeley, M.
Calvert, C.
Dick, H.
Davies, Colonel
Dundas, T.
Dundas, Sir R.
Denison, J. E.
Dickinson, W.
Euston, Lord
Fyler, T.
Gordon, R.
Guest, J. J.
Hobhouse, J. C.
Heneage, G. F.
Harvey, D. W.
Howick, Lord
Jephson, C. D. O.
Kerr, T. R.
Lamb, hon. G.
Lloyd, Sir G.
Lennard, Thos. B.
Lambert, J. S.
Martin, J.
Monck, J. B.
Maberly, J.
Maberly, Col.
Portman, E. B.
Pendarvis, E. W.
Parnell, Sir H.
Poyntz, W. S.
Ramsden, J.
Robinson, Sir G.
Rumbold, C. E.
Robarts, A. W.
Rowley, Sir W.
Stanley, Lord
Scott, W.
Smith, V.
Smith, R.
Sibthorp, Colonel
Townshend, Lord C.
Uxbridge, Lord
Whitbread, W.
Warburton, H.
Winnington, Sir T.
Waithman, Alderman
Ward, C.

TELLER.

Hume, J.

Mr. *Hume* said, he saw a charge in the Estimates of 425*l.* for conductors of money, and he wished to know why the Government continued to send money to the outports by messengers, instead of obtaining money through the medium of bankers?

Mr. *F. Lewis* said, that it was found the most economical to send part of the money for the payment of the navy to the outports. He would take that opportunity of stating that he was aware of the recommendation on this subject contained in the pamphlet of the hon. Bart. (Sir H. Parnell). But the statement that half a million sterling was sent to the different out-ports by such means was an error. A sum not exceeding 20,000*l.* was transmitted in the way mentioned, 480,000*l.* being sent in the most economical manner, either by waggons or by mail. The silver which was necessary could not in general be obtained on the spot, and that was transmitted from London. The only question was, as to the more economical method of making the transmission? The Bank had been consulted, and it had been found that, according to the terms it proposed, the better way would be, to transmit the money, as was done, by Government waggons, under the charge of a guard of soldiers. That was the reason why a portion of silver was so transmitted to the out-ports. As to the question relative to conductors, he would inform the hon. Member, that large sums passed between the Navy Office and the Bank of England, and again large sums were sent by the mails, and it was necessary that some persons should be responsible for the money while in *transitu.* The person who was so responsible was called a conductor, and his services could not be performed by an ordinary messenger. The conductor did not go with the money by the mail, he only saw it safely deposited in the charge of the Post Office. The silver sent to the out-ports was placed under a military escort, and did not need a conductor.

Sir *H. Parnell* said, that the Committee had been given to understand that the system of sending money to the out-ports was by covered waggons, provided with a guard, and therefore he supposed that the system described by his hon. friend must be a very modern improvement. He believed that even the present method was not the most economical, for Ireland was provided with silver money without the expense of conductors and military guards.

Mr. *Hume* contended that the bankers at the outports would supply the money that was wanted. The hon. Member read several extracts from the evidence given before the Finance Committee, to shew that Sir H. Parnell was warranted in believing that money was transmitted in large sums to the out-ports. The same evidence also shewed that the Paymasters of Marines could get silver from bankers at the out-ports, without any expense, and he did not know therefore why the Navy Pay Office could not do the same.

Mr. *F. Lewis* would undertake to examine the subject, and if he could find better means of conveying the money than that now employed he would adopt it.

Sir *M. White Ridley* was disposed to give his hon. friend credit for his exertions; but he believed that the bankers at the out-ports must conduct their business on different principles from other bankers, if they could not advance what money would be required.

Mr. *Hume* expressed himself satisfied with the declaration of the hon. Gentleman.

The Chairman was ordered to report progress; the House resumed; the report to be received on Tuesday.

HOUSE OF LORDS,

Tuesday, March 23.

MINUTES.] The Commons were summoned to hear the Royal assent given by commission to several public and private Bills. The public Bills were, the Mutiny Bill, the Marine Mutiny Bill, and the Pensions' Duties Bill. The Commissioners were the Archbishop of CANTERBURY, the Lord CHANCELLOR, and the Earl of SHAFTESBURY.

Petitions presented:—By the Marquis of HERTFORD from Alcester, praying for the repeal of the Malt and Beer Duties:—By Lord WALLACE, from certain owners of Lead-Mines in Cumberland, praying for a protection against the introduction of Foreign Lead:—By Earl STANHOPE, from a Hundred in Suffolk, complaining of Distress, praying that an inquiry might be instituted into its cause; praying also for a reduction of Taxation, and for a repeal of the measures respecting the prevention of a Small Paper Currency:—By the Marquis of LANSDOWN, from the inhabitants of Rochdale, praying for a revision of the Criminal Law, with the view of taking away the Punishment of Death from all offences against property:—And by Lord CARRINGTON, from High-Wycombe, with a similar prayer.

AFFAIR AT TERCEIRA.] The Marquis of *Clanricarde* said, that in rising to introduce the Motion on which he had given notice, he felt how inadequate his powers were, to bring it forward in that manner which its importance deserved; perceiving, however, the vast consequences of the principle involved in the course of policy to which he objected, and fearful, if passed over in silence, that what had been done at Terceira should be drawn into a precedent, he thought he should be guilty of a dereliction of his duty if he did not bring it under their Lordships' consideration. The papers which had been laid before the House by the noble Secretary opposite, did not contain, in his opinion, information as ample as the House had a right to expect on this important subject. There was one document in particular, the absence of which he regretted,—he meant the protest of Count Saldanha, against the attack made on the vessels sailing to Terceira, by Captain Walpole,—because he knew that the principle for which he contended was there very fully and very ably laid down. There was, however, in the documents before the House sufficient information on the affair to warrant him in bringing it under the consideration of their Lordships. Before he proceeded further, he would read the Resolutions which he intended to submit for the adoption of their Lordships. The noble Lord then read the following Resolutions,

"That prior to the 12th of December, 1828, her Majesty the Queen, Donna Maria 2nd, had been recognized by his Majesty, and the other great Powers of Europe, to be the legitimate Queen of Portugal; and that at the period above-named the said Queen was residing in this country, and had been received by his Majesty with the accustomed honours of her royal rank.

"That on the said 12th of December, the Island of Terceira, part of the dominions of the Queen of Portugal, was governed by authorities civil and military in allegiance to her majesty.

"That on the said 12th of December, instructions were given by the Lords Commissioners of the Admiralty, stating that a considerable number of Portuguese soldiers and other foreigners were about to sail in transports from Plymouth to Falmouth, and it is supposed they intend making an attack on Terceira or other of the Western Isles, and his Majesty having been pleased to command that a Naval force should be immediately despatched to interrupt any such attempt, you are hereby required and directed to take the ship and sloop named in the margin under your command, and to proceed with all practicable expedition to Terceira, and having ascertained that you have succeeded in reaching that Island before the transports above alluded to, you will remain yourself at Angra or Praia, or cruising close to the Island in the most advisable position for interrupting any vessels arriving off it; and you will detach the other ships as you shall deem best for preventing the aforesaid force from reaching any of the other Islands.

"That on the arrival of the Naval force sent to Terceira, in pursuance of the instructions, the commanding officer found that Island in the possession of, and governed by, the authorities above mentioned.

"That in the beginning of January, 1829, a number of Portuguese subjects or soldiers of her said Majesty, voluntarily left this country with a view of repairing to the said Island, and that their departure and destination were known to her Majesty's Government, that they appear to have embarked and sailed in unarmed merchant ships, to have been unaccompanied by any naval force, and themselves without any arms or ammunition of war.

"That these unarmed merchant ships and passengers were prevented by his Majesty's naval forces, sent for the purpose, from entering the harbour of Porto Praia; and that after they had been fired into, and blood had been spilled, they were compelled, under the threat of the further use of force, again to proceed to sea, and warned to 'quit the neighbourhood of Terceira, and the rest of the Azores, but that they might proceed wherever else they might think proper.'

"That the use of force in intercepting these unarmed vessels, and preventing them from anchoring and landing their passengers in the harbour of Porto Praia, was a violation of the sovereignty of that state to which the Island of Terceira belonged; and that the further interference to 'compel these merchant ships or transports to quit the neighbourhood of the Azores,' was an assumption of jurisdiction upon the high seas, neither justified by the necessity of the case, nor sanctioned by the general law of nations."

Their Lordships would see that he did not enter into the policy of the course pursued by his Majesty's Government towards Don

Miguel. Whatever that policy was, it would make no alteration in the arguments which he should submit to them. The avowed policy of Ministers was that of strict neutrality with respect to the contending parties in Portugal. Be that policy good or bad, when the neutrality was once declared it ought to have been acted upon; but he would contend, that in the conduct pursued towards the unarmed Portuguese endeavouring to land at Terceira, there was a violent breach of that neutrality which was avowed, and also an infraction of the law of nations, greatly aggravated by the previous declaration of neutrality. He now begged to call the attention of their Lordships to the circumstances under which the Portuguese, who had acknowledged the title of Donna Maria, had been driven from their country, and had sought refuge in this. Their Lordships would recollect that, after the defeat at Oporto, a considerable number of Portuguese subjects sought and obtained an asylum in this country. In doing so they subjected themselves to no restrictions, but remained as free as before they came here, to listen to the voice of duty, when it called them to take arms in behalf of their lawful sovereign. After they had obtained a temporary asylum here, intelligence arrived that Terceira adhered faithfully to Donna Maria. They wished to proceed thither, and having understood that Don Miguel was preparing an expedition against Terceira, they sought a convoy to escort them to that part of the Portuguese dominions in which the authority of their Queen was recognized. That application was refused. He did not blame that refusal; but he should wish that their Lordships would attend to the reply given by the noble Duke to the Marquis of Barbacena, which was to the effect, that if the Portuguese wished to make war at the Azores, they must depart from this country and go there as private individuals. This was what they wished; but from this they were prevented by Ministers. They were afterwards dispersed from Plymouth, where they had been collected together. This was, he thought, an unwarrantable exercise of power. He contended, that the subjects of a sovereign whose title was sanctioned, recognized, and all but guaranteed, by this country, had a right to come here, and had a right to depart hence, to any part of their sovereign's dominions without any molestation. He did not blame Ministers for not having guaranteed those Portuguese a safe passage to the Azores; but while the negotiations on that point were pending, it was known that Don Miguel's expedition to Terceira had failed. The waters of the Azores were then free, and all that the Portuguese here desired was, an opportunity of departing thither, as the noble Duke had at first advised and admitted their right to do. An application to this effect was made by the Marquis Palmella to Ministers, he at the same time assuring them that these men would go off unarmed, in small detachments. They hired unarmed vessels, they had neither arms nor ammunition, and the number of men was not greater than the number of men who usually go in one emigrant vessel to Canada, or about 600. Now, he wished to know how could these men be more fully divested of a hostile character, being without arms and ammunition? They sailed, but an order was given to the commander of our ships to prevent their landing at Terceira. One of the vessels was fired into, and murder actually committed, for it was murder, at least manslaughter, which no law could justify. These men formed a part of no invading army; they were merely subjects going home to their fellow-subjects, alike loyal to their sovereign. He knew it was said by the noble Foreign Secretary on 18th of February last, that this expedition bore a hostile character; being composed chiefly of Germans and Danes, who were engaged for the purpose of hostility. He must, however, put his private information on the matter in opposition to the noble Secretary's statement. There was, he believed, one vessel going to Brazil which had some Germans and Danes on board, and that vessel might have intended to touch at Terceira; but it had nothing to do with the four other vessels which sailed from Plymouth for Terceira, and which had no Danes or Germans on board as passengers. But the vessel with the Germans and Danes, moreover, did not sail at the same time with the expedition [*"Hear hear," from the Duke of Welton.*] He understood the meaning of the noble Duke's cheer; but was the noble Duke so used to arms that he could not imagine an expedition to be any thing save a hostile armament? Without dwelling, however, on that point, he must contend that there was no law to justify our interference: there was no writer on the law of nations in whose works there was any passage to justify such conduct. He would not prove this assertion by lengthened extracts; but would merely quote one short one from Vattel, in order to show that in the observance of strict neutrality we could not interfere with the subjects of other countries in the way which had been done on this occasion. The passage from Vattel, which he would quote, was from the 7th Chapter Book iii., and was as follows:

> "It is not possible, then, without injustice, to enter its territory in arms to pursue and capture a guilty person. Such an act affects the safety of a state, and is injurious to the rights of sovereignty or supreme authority, which belong to monarchs. This is what is termed a violation of territory, and nothing is more generally recognized among nations than this, as an injury that should be repelled with vigour by any state that will not submit to oppression."

It might perhaps be said, that the sea about the Azores was not the territory of the Queen of Portugal, even if her authority were recognized there; but on this subject he would quote from Bynkershoek the following passages:—

> "*Nulla siquidem sit ratio, cur mare, quod in alicujus imperio est et potestate minus ejusdem esse dicamus, quam possum in ejus territorio.*"
>
> "*Non oportet in mari, alterius principis continenti proximo, leges dare, sed accipere, quum ibi sumus subditi, non secus ac in ejusdem territorio.*"

According to that authority, the waters about Terceira were as much under the dominion of the young Queen of Portugal as the island itself. But had it been otherwise, had Terceira been in the possession of Don Miguel, he would then beg to know what ground there was for supposing that four unarmed vessels, conveying a number of men, who he believed had not even side arms, and certainly had none of the munitions of war, intended an attack upon the island of Terceira?—an island which had, on several occasions, resisted formidable forces brought against it by the Spaniards. It was not for the first time that Terceira was distinguished for its loyalty and valour. It was attacked by the Spaniards in the years 1581, 1582, and 1583 without success. He mentioned these circumstances in order to shew that it was absurd, as he had stated, to imagine that that island could be taken by an unarmed force. But it had been said that a civil war was going on at the time in the Azores, and that those men went out to assist in it. In answer to the assertion he would ask, Why not? Why should those men be prevented if such were their object? The noble Duke had himself, in his first letter to the Marquis de Barbacena, given them his permission, and said they might go out as individuals if they so pleased. But to revert to what had been said by the noble Foreign Secretary as to the Danish and German troops. He had very different information on the subject from an officer in the service of Donna Maria, who was on board, and who declared that the passengers were all Portuguese, with the exception of four Spanish officers, who had been in the service of Portugal, and who were then going out to join the troops. He would now come to the question whether a fraud had been committed by the Brazilian minister in the application made to this Government to be allowed to export arms. The allegation was, that an application was made in the first instance, to send a certain quantity of arms to Terceira. That was refused; and then application was made, and permission granted, to send them to the Brazils; but they were shipped off to Terceira. Now, if the Brazilian minister had acted in this way, it would be a good ground of imputation of want of good faith. But what had this to do with the question of the interference with the Portuguese troops? Let their Lordships however look at the state of the law at the time this application was made. Was there any law which prevented the exportation of arms direct to Terceira? He was aware of none; nor was he aware of any Order of Council prohibiting such exportation of arms. More than this, it had been stated in another place, that at the very time the noble Earl was attaching this condition to a permission for exporting arms, the Portuguese Government was actually purchasing arms in this country, and exporting them for its own use. Why should this, then, have been allowed to the one party, and refused to the other? Again, suppose that arms ought not to have been exported straight to Terceira, what right had the Ministers to prevent the exportation of arms to the Brazils? And, if they had no right to prevent this, what necessity was there for the permission? However, be this as it might, still the unfortunate Portuguese had nothing to do with the pretended fraud, and ought not to have been punished for it. There were other points of law,—such as the false clearances, and so forth, which were minor points of municipal law, and which he would not argue. There was a legal remedy for the violation of such laws, but it was not a legal remedy to follow people on the high seas and fire into their vessels. He contended that in this transaction the Government had committed an infraction of the law of nations, and he trusted therefore that their Lordships would concur in the opinions which he had embodied in his resolutions. The Government had not done this in a hasty moment, or, if it had, Ministers had at least thought proper to defend and to attempt to justify their conduct. Nothing, however, could be more futile than their attempt. They had resorted to a despicable sort of special pleading to justify their conduct, which was far more worthy of a pettifogging lawyer, than of the Ministers of a great nation. They seemed to act on the principle of Achilles.

Jura neget sibi nata, nihil non arroget armis.

He trusted, however, that their Lordships would mark the sense they entertained of such conduct by voting in favour of his resolutions. They must remember that by not censuring such conduct, they made it their own. The opportunity was offered to them of retrieving the glory of the country, sacrificed by the Ministers, and they would become parties to the guilt if they did not reprobate and condemn the proceedings of Ministers. In the last Session of Parliament, their Lordships had been told that negotiations were on foot by which it was hoped the Government would be able to reconcile the differences existing between the members of the House of Braganza. The next thing they heard upon the subject was this gross case of the affair at Terceira,—this assault upon one of the very parties whose differences they had been told the Government was endeavouring to reconcile. In the present Session they had been told that all hopes of effecting such a reconciliation were at an end. But to this infraction of the law of nations their Lordships were now made a party, and it became the dignity of that House to rouse themselves and to disclaim all participation in the act. Nay, unless their Lordships strongly reprobated such a transaction, it would become a precedent which might in future times be turned against ourselves, and materially affect the interests of the country. One of the principles acted on most perseveringly and most consistently through many ages by every successive British ministry, was to cultivate a good understanding with Portugal, and to take care that the influence of this country at the Court of Lisbon should be superior to, and preponderate over, that of France. At this time in particular this duty ought not to be lost sight of, for it was reported that France had undertaken the task, in which we had failed, of reconciling the differences that existed in the House of Braganza. Were we to be second only in such an affair? Were we to endeavour to attain the object we ought to have most at heart, through the mediation of a Bourbon? By such a course we were enabling France to regain her influence in Portugal, while our own, which was already shaken, would be entirely lost. He trusted that their Lordships at least would not become a party to such policy, but that they would show to Europe, that they were not so lost to all sense of justice as to sanction a flagrant and uncalled-for violation of the law of nations, and that they were not so inattentive to the interest of the nation as to abandon the advantages which this country must always derive from a strict alliance with Portugal. He had only now to invite their Lordships to a concurrence in the Resolutions he had proposed.

The Resolutions having been put by the Lord Chancellor,

The Earl of *Aberdeen* said, that although their Lordships had been three or four times already called upon to discuss this question, yet he felt perfectly well satisfied that the noble Lord had thought proper to bring it once more under their consideration; for he was well convinced that the more the subject was examined and understood, the greater would be the certainty of their Lordships giving their sanction to the course which his Majesty's Ministers had adopted. The noble Lord had proposed a series of resolutions which, as he had heard them that night for the first time, it could not be supposed that he was prepared to discuss minutely. Some truth there doubtless was in the narrative contained in the noble Lord's resolutions; but it was dashed with circumstances well calculated to give any one who read it a very erroneous notion of the transaction. The subject was indeed highly important; but their Lordships should view it candidly and dispassionately: it was even a subject, he would say, on which their Lordships should rather distrust first impressions; and moreover, the character of the transaction depended altogether on its being viewed as a whole, from its commencement to its conclusion. The importance of thus viewing this transaction, — of viewing it as a whole,—imposed upon him the necessity of troubling their Lordships with a narrative of the facts that were connected with it. But first of all let him allude to the position in which this country stood with respect to Portugal, at the time this transaction took place. That position was one of strict neutrality. Whether the choice of that position was right or wrong had nothing to do with the present question. It might have been right,—it might have been wrong, but he had not heard it objected to in that House; and the noble Lord who proposed these resolutions had said, that he would not enter into the discussion of that point. It might have been right to have supported the legitimate sovereign of Portugal; but that course had not been contended for in that House. He knew, indeed, that it had been stated out of the House; and he must say, he thought it would have been only fair to have raised the point in the House, where it might have been met in argument, and the opinions of their Lordships taken upon it; it had been stated out of the House, that the Government ought to have supported the claims of the legitimate government of Portugal. Again, on the other hand, it might have been right to accede to the almost unanimous opinion of Portugal, and acknowledge the prince whom the Portuguese had chosen as their king. Neither of these courses, however, had been adopted; the course adopted was that of strict neutrality, and all he claimed from their Lordships, on the present occasion, was to agree with him that, such a course having been adopted, it was necessary that it should be faithfully observed. For of all the systems that might have been adopted, that which alone was perfectly indefensible was, to lay down a course of neutrality in the first instance, and afterwards to interpret that course according to our opinions, our feelings, or our interests. Having declared then that the course resolved upon by the Government was one of strict neutrality, and that it was necessary to maintain that course faithfully, he would proceed shortly to recapitulate the circumstances of this transaction. After the defeat at Oporto,—or he should rather say, after the flight from Oporto, for where there had been no engagement there could be no defeat,—after the flight from Oporto, the fugitives betook themselves to Spain. At this point it was, that the good offices of this country in their favour were first interposed. The Spanish government ordered them to quit Spain within a month; but by the interference of the British Government the period of their stay in Spain was prolonged, and facilities were given towards their embarkation. Application was then made to this country for transports to convey these troops hither. This our Government could not consent to; but it promised, that if the troops came here, they should be hospitably received, and that accommodation should be provided for them for a time. The troops arrived here about the end of August; and here followed, he must say, the first and the only error of which the Ministers had been guilty. The Government ought, perhaps, to have insisted upon the immediate dispersion of these troops. But when their Lordships considered the deplorable condition in which the men were, and the promise which was made that they should shortly be carried to Brazil, he was sure their Lordships would consider that it was no very extravagant stretch of humanity in the Government to act as it did. The troops, on arriving here, declined the accommodation which was offered them at Plymouth and at Portsmouth, and they preferred remaining together at Plymouth, where they formed what they called a dépôt,—where they were disciplined, officered, and, in fact, exhibited every appearance that belonged to a military force. Indeed, it was not denied that they were a military force, and nothing else. In the month of October the Marquis of Barbacena informed the noble Duke (Wellington) near him, in a letter, that he intended to despatch a portion of these troops (for so the Marquis termed them) to the Azores. In order to form a correct judgment of the subsequent transactions, the condition of the Azores at that time must not be lost sight of. Every one of the islands was under Don Miguel, excepting only the island of Terceira, and the condition of that island, but of that island alone, was doubtful. It was doubtful in this way:—the population was in favour of Don Miguel, but the garrison of the fortress, disarming the inhabitants, established the government of Don Pedro, or of Donna Maria,—he did not know which, nor did they, as he believed. The inhabitants, however, were universally in favour of Don Miguel, as were the inhabitants of all the other islands. Such was the state of the island at the time to which he alluded, and such, he believed, was the state of the island at present. This being the condition of Terceira, his noble friend thought, and very properly thought, that it was his duty to tell the Marquis of Barbacena that he could recognise no foreign troops in this country, and that if there were any such, they must instantly disperse, adding, at the same time, that they could not be permitted to go in hostility to any part of the Portuguese dominions. This decision of the noble Duke was not acquiesced in. At the end of November, it was intimated by the Government that these troops must disperse and distribute themselves in the neighbouring towns; and their chiefs were given to understand that their union at Plymouth was inconsistent with the neutral character which his Majesty had assumed. This led to a discussion, the history of which their Lordships held in their hands. It would be sufficient for him to say, that at last it was fixed that the troops should go to the Brazils; but changing their determination, they found means, by false clearances, to take their departure, and they set sail for Terceira. The continuance of these troops for several months, at Plymouth, armed and disciplined, was the part of the transaction in which he regarded the Ministers as most blameable, for allowing it was manifestly a breach of our neutral character. The noble Lord (the Marquis of Clanricarde) had alluded to an authority which he (the Earl of Aberdeen) had quoted on a former occasion, and had considered it as an authority in favour of his own view of this subject. The passage he had quoted related to the retreat of an enemy into a neighbouring country; and it had laid down the maxim, that if such neighbouring power, instead of making such enemy march beyond its frontiers, suffered them to remain in his country, to recover and watch an opportunity of making a new attack, then the power which had discomfited and put to flight this enemy, would have a right to enter and pursue this enemy in the country of the neighbouring power which harboured them. Now this passage perfectly described the state of the Portuguese troops in this country. The strict letter of it, he admitted, described the passage of troops through a country: but if the troops could not pass through the territory—if it were impossible for them to pass through it,—the authority clearly showed that the least which could be required in such a case was, that the troops should be dispersed. The manner, then, in which the Portuguese troops had been allowed to remain at Plymouth was, he repeated, a manifest breach of neutrality on our part. Don Miguel might have demanded that they should be dispersed, and, if this demand had not been complied with, Don Miguel might have followed them into the port of Plymouth, and destroyed them there. The law of nations would have justified Don Miguel in this course, and it was, perhaps, only his inability that prevented him from resorting to it. As to the character and the conduct of Don Miguel,—as to whether Don Miguel had put himself in such a condition that he could not lay claim to be treated as a neutral,—this had nothing to do with the present question. This might have been a reason why we should not have promised neutrality, but after we had made the promise, it could be no reason, no justification for our breaking it. The course which the Ministers had pursued had been adopted by them because they thought it their duty to adopt it, and they had done so without any reference to Don Miguel. Now as to this expedition to Terceira, it was quite clear that it was a hostile expedition. The noble Lord had said, that it was an expedition to the territory of their Queen, and that therefore there could be nothing of hostility in it. But, in the first place, he contended that it could make no difference whether the expedition was intended for attack or for defence, because it was equally at variance with the laws of neutrality: and because, judged by these laws, a seasonable supply of troops for the defence of a besieged fortress was just as much an act of hostility as any other act could be. Neither did it matter, he should contend, in whose possession the spot happened to be at that time. He looked upon Terceira just as he should look upon Oporto; they were equally parts of the Portuguese territory, and towards that territory it was, that we had declared neutrality. Then, again, as to these troops sailing for Terceira unarmed, that could not in the least degree alter the character of the expedition. Owing to that fraud to which the noble Lord had alluded, on the part of a Brazilian agent, arms had preceded these troops to the island, and the Government were acquainted with the fact that the arms had been sent thither. Still, however, the fact of these men sailing without arms did not alter the character of the expedition; but when the Government knew that arms had been sent to Terceira, that fact undoubtedly made them suspect that the troops were destined for the same island. Long before these troops left Plymouth, their chiefs had been informed that our Government entertained these suspicions, and they were told that we had a fleet at Terceira, and that they would be prevented from landing there if they should venture to make the attempt. It was unfairly colouring this transaction, then, to say that we had followed unarmed men and cruelly fired upon them. With these many and repeated warnings they ought to have expected what would follow, if, in the face of them, they should attempt a landing at Terceira. And since it could not, he apprehended, be doubted that we had a right to disperse these troops on their arrival in England, and that, moreover, we had a right to prevent their departure from this country on a hostile expedition to any part of the Portuguese territory, the only question was, whether we had a right to prevent them from doing that by fraud which it was our duty to prevent them from doing openly. If we had allowed them to do this, we should indeed have acted in violation of the law of nations. He contended, that we were fully justified in doing that which, if we had not done, it would have exposed his Majesty to a just cause for war; and although from the state of the power which would have had a right to declare war against us, there was no actual danger of war, yet the sincerity of his Majesty might have been justly questioned. Such an occurrence it was at all times more desirable, more necessary, for a leading monarch to avoid, than it was for him to shun any danger that war might threaten. The noble Lord who so strongly objected to the course which the Government had taken, appeared to have forgotten that there were other periods of our history at which the same principle had been acted upon. Let him call that noble Lord's attention to one very recent instance. In 1826, when the constitution, which had raised so much commotion in Portugal, was brought into that country, a body of Portuguese fled to Spain, and afterwards threatened to return. Now, it was not pretended that any Spaniard had entered, or was about to enter Portugal, yet the Portuguese refugees had received aid and comfort from Spain, which enabled them to return. The Court of Spain denied that they were parties to the expedition of their refugees, and said that their authority had not sanctioned any part of the proceedings. We, however, gave no credit to the Court of Spain, and in the same way Don Miguel might have distrusted our professions of neutrality, if our conduct had resembled that of the Court of Spain. Well, on the occasion to which he was alluding, we sent a British force to resist the attack of the refugees, as though they had been a foreign force hostile to Portugal; and we obtained, moreover, from the Court of Spain the dispersion and the removal of the refugees into the interior of the country. Now this was a case precisely in point, and it would have given Don Miguel a right to remonstrate, and to insist upon our adopting the same line of conduct which we had required from Spain. According, therefore, to the plain sense and justice of this case, and considering the neutral character of his Majesty, the Ministers could not have acted otherwise than they had acted. What the noble Lord had said about the position of this country with respect to Portugal, and the negotiations of France, was altogether founded on misapprehension. The noble Lord was, he assured him, quite mistaken. The noble Lord might rest perfectly satisfied that we were not second in any proceeding of this kind; but that, on the contrary, the whole had originated with, and had been arranged by, this country. It might be true that in the course Ministers had adopted they had displeased both parties, in the disputes with respect to the Portuguese succession; but if that were true, he was not sure that it was not a proof of the strictness of their neutrality, and of the complete impartiality of their proceedings. The noble Lord, who thought that we had acted favourably towards the one party, might be assured that that party was by no means of that opinion; and though the noble Lord might think our conduct had benefitted that party, the party himself was far from thinking so. With respect to the resolutions proposed by the noble Lord, though they embodied a narrative which was in many respects correct, yet as the object of them was to pronounce a censure which was, in his opinion, most undeserved, upon the conduct of Government in regard to this transaction, he should feel it his duty to oppose them.

The Earl of *Radnor* said, that he had been listening very attentively to the speech of the noble Secretary, in order to obtain some information on this subject, but that he found that speech to be no answer at all to the points that had been brought forward by the noble Lord near him. The noble secretary's speech had been an account of what had been done, but of nothing else. The reception of the Portuguese troops at Plymouth he admitted to have been a breach of neutrality, but was that any justification of the other breach of neutrality which had been committed by following them upon the high seas, and preventing them from landing at Terceira? Certainly not; unless it was meant to be argued that as the Government had broken the neutrality on the one side, it was a proof of their impartiality to break it on the other. No answer, he contended, had been given to the arguments of the noble Lord near him on that part of the case. The noble Secretary could not mean to say that the misdeeds of the Marquis Itabayana, who had committed the fraud, were to be visited on the heads of these unfortunate refugees. That fraud might have justified remonstrance to the Court of Brazil, but it ought not to have regulated the conduct of Government with regard to the refugees. Again, as to the false clearances: that transaction might have been very wrong, and might have justified our stopping the troops in our own ports, but it did not give us a right to pursue them across the Atlantic, and then fire into their ships. Then the noble Secretary attempted to justify the conduct of Government, by alluding to the transaction of 1826. Those Portuguese, however, were deserters; they left Portugal and retired to Spain, without arms; but they returned with arms, and with the actual support of Spain. But supposing the two cases to have been similar and parallel, would Spain, upon that occasion, have been justified in following the Portuguese refugees into Portugal, and there knocking them upon the head? He apprehended not: and yet the case was not a case in point, as the noble Secretary had called it, unless the parallel could be pursued throughout. The noble Earl stated, that it appeared doubtful in whose possession Terceira actually was; but it was stated in the correspondence of the Marquis of Palmella, that it had never yielded obedience as he stated to the usurper Don Miguel, but had preserved its allegiance to Donna Maria, and it claimed in that respect the merit of having resisted the government of the usurper, and of not having violated the oaths it had taken to the august father of Don Pedro. The same nobleman said, that the Island of Terceira had remained the subject of Donna Maria, that is to say, it had remained in the same political situation in which it was immediately preceding the revolt in Portugal. From both these statements it was clear that Terceira was not in the possession of Don Miguel. But it was said that the refugees had no right to go there for purposes of defence; but he could not understand that. The noble Duke had stated that they might go to Portugal or the Azores, or where they pleased, and they very naturally inferred that they might go where they pleased, for whatever purpose they liked, provided it were loyal and honest. He did expect, that for the sake of the honour of the country, he should have heard some satisfactory explanation from the noble Secretary with respect to the transaction in question, and in answer to the speech of the noble Marquis.

The Marquis of *Clanricarde* said, that he had at least the consolation, should his motion be negatived, of knowing that it was so on grounds which could not be generally satisfactory. The noble Earl had alluded to the case of neutrality only, and that in a very incomplete manner. As for the possession of Terceira, it was clear that the government of that island was in the hands of Donna Maria, and was exercised in her name. The comparison drawn by the noble Earl between this case and Spain did not hold good; for it was a fair ground of war against Spain, that she harboured Portuguese deserters and sent them back armed to annoy Portugal. On that occasion we interfered to preserve the peace of Europe. We were bound to protect Portugal, which we did, against Spain. He should certainly take the sense of the House on his Motion, and if it were negatived, he should enter his protest against the proceeding.

Lord *Holland* should not have ventured to trouble the House with any observations on the subject, but after the manner in which it had been treated, he could not allow it to go to a vote without expressing his surprise at the conduct of his Majesty's Ministers. When this unfortunate and painful subject first came before the House, the Government appeared to be panting and longing for an opportunity to give an explanation of the whole of their conduct; yet now, neither in the speech of the noble Earl, nor in the defence put before the House, on which the Government rested its case, was one word said directly or indirectly on that branch of the subject which formed the principal ground of the Motion of his noble friend below him. It had been the custom when the affairs of Portugal were introduced in that House, to elude the question, by professing an unbounded love of peace, a strict and austere adherence to the terms of our conventions with other countries, and a most unbounded respect for the opinion of the people in them. In had been found, for instance, in the present case, that in the unanimous opinion of the people of Portugal (by what magic the noble Earl had taken the exact poll of the people of Portugal it was hard to say), the Government of Don Miguel was preferred to the charter accorded by Don Pedro. The noble Duke at the head of his Majesty's Government sometimes shewed that he understood the tactics of debate as well as he did those of the field. He had spoken on these questions several times, and although he had said little to elucidate the subject referred to, he had obtained one great advantage, he had contrived to impress the public with the belief that those who found fault with his Majesty's Government were in fact doing nothing more than urging an unnecessary interference in the affairs of another country, and prompting this Government to impose by its will upon another people a Government which they disliked. He would notice that part of the subject more particularly before he sat down. But with respect to those professions to which he had before alluded, he could not help saying, that when they were made he could not think the noble Duke stood forward with all the advantages which sincerity in his professions was calculated to confer on a Speaker. He could not compliment the noble Duke upon his prodigious anxiety for the will of the people. He knew not where the noble Duke had learnt it—whether in India or on the plains of Waterloo; and he must confess that it did not come with a very good grace on the present occasion from the lips of the noble Duke. The noble Earl who had spoken already was wrong in supposing that he was charged with any pusillanimous love of peace—on the contrary, the charge was, that he had shown a love for a pusillanimous war—not any squeamish dread of interference, but interference where even less than squeamishness ought to have stopped him—not any extravagant love of popular liberty and of the will of the people, but that he had been guilty of a violent outrage on the people of a country most nearly and dearly connected with Great Britain. Let them look at the detail of facts as laid before that House. In the first place, what had been said by the noble Secretary of State was true—that the question must be considered as a whole. He had no objection so to consider it, provided he was not obliged to cut it up as it was cut up in the minds of the noble Lords opposite, and provided the objections to the parts of the transaction were taken separately, and perfectly understood. He did not then object to other parts of the conduct of Government towards Portugal: he did not include in this Motion the treatment of Donna Maria, and the infraction of the rights of her sovereignty;—he might object to these transactions as unkind and unfortunate, but he did not charge them as actual crimes and offences against the law of nations. It was necessary indeed to consider our relations with the individuals and countries interested, and we ought to trace the whole progress of our proceedings with respect to Portugal from cold-hearted indifference towards the constitutionalists, through the various gradations and successive changes of suspicion, jealousy, contumely, ill-temper, up to injury, outrage, oppression, and acts of positive war. And this was what he charged the Ministers with. Who were the persons attacked and ill-treated? They were the subjects of a country most nearly and dearly allied to Great Britain,—persons who held to their allegiance towards a youthful princess whom we ourselves had received and recognized as the legitimate ruler of Portugal, and whom his Majesty, with that generosity which invariably distinguished him, had received with marks of more than common consideration and distinction upon the soil of Great Britain. But to return. Those individuals attempted at Oporto once more to raise the standard of Donna Maria, and failed in the attempt. When forced to look around for an asylum in which they might expect hospitality and protection, they naturally turned their eyes to Great Britain, a country closely allied to their native land, and, as they thought, favourable to the cause of the queen and of the constitution. Could they have anticipated the possibility of such a reception as they had, unfortunately and disgracefully for the character of this country, received at our hands? Could they have imagined that every advantage would have been bestowed upon others, none upon them? Could they have feared that we should have looked with a narrow scrutiny, with searching and jealous eyes, upon their faults or errors, and make these (no matter whether real or imaginary) the wretched pretence of injury and oppression? On their arrival in England, the first observation with which they were met was one applied to them by the noble Secretary of State (then recently appointed, and therefore in all probability not possessed at the time of that sort and extent of knowledge with regard to these individuals which a Minister of the Crown in this country ought to possess),—the noble Lord declared in his place in Parliament his firm opinion that the supporters of Don Miguel were the real friends of Great Britain. Could there be anything more galling for any man who had sacrificed everything to what he considered the real advantage of his country, and as part of that advantage to her close connection with this, than to find on his arrival here, that his enemies and persecutors were deemed the real friends of Portugal and of Great Britain; and that he and his friends were placed among the number of their enemies? He believed this was a hasty and inconsiderate, if not an accidental, assertion on the part of the noble Earl, but he must always regret it as a most unfortunate and unfounded one. He had in his pocket a list of the names of four-and-twenty or thirty of these brave and noble men, and there were individuals not less distinguished for rank, wealth, and talent, than for the unflinching manner in which they had adhered to their principles. Among them were names deservedly dear to many of their Lordships—names always distinguished for endeavouring to maintain inviolate the connexion between Portugal and Great Britain. He should not enumerate them all; but he might be excused for mentioning the name of the Marquis of Palmella, who was a coadjutor of the noble Duke (Wellington) and of those who in concert with him had adjusted the condition of Europe at the conclusion of the war—who had sat in councils and congresses with the noble Duke, and whose character must therefore be well known to him, as it was to most of their Lordships. The Marquis of Palmella had been admitted as a representative of his country at the general congress, where, by the splendor of his talents, by his conciliatory character, by his address, by his zeal in the service of his country, and by the disposition which he manifested to cement the union between England and Portugal, he placed himself upon a level with the first diplomatists of the day, and entitled himself to our lasting gratitude. Another of those individuals was Count Funchal, who, though labouring under the pressure of undeserved misfortune, enlivened by his agreeable talents every society of which he made a part. He spoke of this gentleman from the knowledge which an acquaintance of many years had afforded, and could say, that in him the strongest feelings of patriotism and of honour were united with the most sincere desire to preserve the connexion between the two countries, as the best means of promoting the prosperity of Portugal. Let him also mention as belonging to this band, M. Villa Real, who, he believed, originally had not a very strong prepossession in favour of the constitution, and finally engaged in its support, principally because he thought that by means of it the union that had long subsisted between this country and Portugal might be best preserved. Judge then of the mortification of those men who had suffered so much in the cause of their country, and it might be added, to preserve its connexion with us, at hearing their services denied, and their opponents described as the real friends of England! Such was their reward for espousing the cause of their legitimate sovereign, of the constitution of their country, and of England. They resisted a party favourable to the establishment of Spanish influence in Portugal, with a view to unite these two countries in closer bonds, and weaken or destroy the connexion that had long subsisted between Great Britain and Portugal, and this was their reward! But it seemed, the original cause of all the soreness in the minds of Ministers upon this subject consisted in what had been called the fraud and deceit of the Brazilian minister. He was not going to say one word in justification of that functionary's conduct; assuming it to be as had been represented, it was not necessary to his argument, although he believed a great deal might be said in palliation, if not in direct excuse of that conduct, and that the palliation would rest upon our own persecution. Though he did not deny the abstract right of his Majesty's Government to prohibit the exportation of arms from this country, under particular circumstances, and although he was far from questioning the power which it had used—permitting arms to be exported to Rio de Janeiro, but prohibiting their exportation to Terceira; yet he did say it was an unfriendly and ungracious exercise of our power against the faithful subjects of Donna Maria. This was taking the argument on the lowest ground. The noble Earl said, "We are for strict neutrality." To this, in order to be consistent, it ought to be added, "We are also for strict impartiality." But had we acted impartially? Certainly not. We acted for our enemy, and against our friend. Taking the matter upon higher grounds, he did not understand the noble Earl's language or acts, when examined by the tests of the law of nations or plain common sense. Ought we to have acted impartially in such a case?—assuming, for the sake of argument, that we had. He thought not; he was opposed to Don Miguel, and in his opinion, the Ministers of this country should also be his opponents. Why?—because he had mounted the Portuguese throne by fraud and treason? No; but because he had become *de facto* King of Portugal, in the teeth of his promise and sacred obligation to Great Britain, and upon interests (notwithstanding what the noble Earl said) directly hostile to this country. Why, Ministers felt this; they did not acknowledge Miguel as King, and the Princess Donna Maria was residing in our Court, and receiving all the honours due to her rank, and all the consideration due to the peculiarity of her situation. To show the same respect to one of these individuals as to the other would be a contradiction of our own acts and words; and yet the noble Earl talked of being strictly neutral. We were not neutral; we ought not to be neutral; but, after all, we were worse, much worse than neutral in our proceedings towards the subjects of Donna Maria. Let us see how this affected the present question. The Brazilian government applied to us for leave to export arms in a King's ship; it would have been perfectly legal, and no sanction was necessary to export arms in a merchant ship—no order to the contrary existing—but it rested with Government to give permission or not, as it pleased, for the exportation of arms in a vessel of war. Ministers had the choice of granting permission or refusing it without assigning any reason or instituting any inquiry. But according to the laws of nations was it fair to allow a belligerent government to arm vessels in our ports against an ally? In the present case the Brazilian government was not at war with the government of Don Miguel; but taking it as a belligerent government, was it a breach of neutrality in us to allow it to arm vessels in our ports? There were fifty instances in which the thing had occurred; though he would only refer to the case of Russia, who, in 1770 or 1771, sent for the first time a fleet into the Mediterranean, she being then at war with Turkey. The Russian ships put into Portsmouth and Plymouth, and were there equipped with ammunition and arms. The anti-Russians of that day said (and perhaps with some show of reason), that Russia had fitted out the expedition imperfectly at St. Petersburgh, for the purpose of availing herself of the advantage of arming it in this country; but we never heard of that having been considered as a declaration of war on our parts against the Turks, with whom we were at peace. Here were we, who considered it necessary to guard against the preponderance of Russia in the Mediterranean, arming her ships in our arsenals to enable them to act against Turkey, our ancient ally. Now, forsooth, if we allowed arms and men to go from our shores to Terceira, his Majesty's Ministers were afraid that this terrible and redoubted Don Miguel would come and swallow us up quickly and destroy us. But he maintained that the Emperor of Brazil was a neutral power according to the law of nations, and therefore there was no pretence for acting as we had done. Granting, however, that the Brazilian minister had disappointed our hopes, and conveyed to Terceira what was intended for Rio de Janeiro; and granting that this was contrary to the law of nations, and opposed to neutrality, it gave us the right of remonstrating,—possibly of going to war with Brazil; but what right had we to say that the subjects of another power, or even other subjects of the same power, should act so-and-so on the high seas? Granting, for the sake of argument, every word which the noble Duke and the noble Earl had said, to be perfectly correct and true as against the Portuguese refugees,—granting that these individuals were conducting themselves in a way such as individuals availing themselves of our national hospitalities had no right to act in,—granting that there were just apprehensions lest Don Miguel should be so touchy upon the point as to be ready to go to war with us, and supposing we were afraid of him—granting all this, what right had we to follow those persons upon the high seas and forcibly control their actions? The noble Earl was no great friend to Don Miguel, judging from the complimentary epithets he had bestowed upon that individual; and whenever the noble Earl sent an ambassador to the Portuguese Court, in order to act consistently he must address his official communications, not to "his most faithful Majesty," but to "his most faithless, cruel, and cowardly Majesty." But notwithstanding all this, how did the matter stand? It appeared that an offence against Don Miguel in England was after all a great deal worse than an offence committed against his Britannic Majesty in the same country,—and that the offenders were to be followed and punished upon the high seas. If individuals had plotted the death of his Majesty,—been guilty of the crime of treason,—committed the greatest outrages, —and escaped to Calais,—should we have had a right to arm a fleet to seize them at Calais? [*The Duke of Wellington.*—"No."] The noble Duke said "no," but how had we acted in this instance where all the offence of these unfortunate persons (supposing them to be guilty of all the crimes laid to their charge) did not entitle us to inflict punishment upon them within the limits, and certainly not out of the limits, of our own jurisdiction, and within the jurisdiction of another power? Where was our right to do so? That was the real question at issue. The argument with respect to the particular situation of Terceira was little to the purpose; but he found it rather difficult to listen to arguments utterly unfounded in their nature, and contrary to the law of nations, without taking notice of them. It was true the noble Duke (Wellington) said the other night "he could not be supposed to know much of the law of nations." He did not see any thing in the various situations filled by the noble Duke which disqualified him from being acquainted with the law of nations. The noble Duke had been Commander-in-chief of a confederate army,—Ambassador at Paris,—Ambassador at the Congress of Vienna,—and was now the first Minister of the country: there was nothing in any of these offices incompatible with a knowledge of the law of nations. An acquaintance with the subject was rather required by every one of them. It would not appear strange, therefore, if the noble Duke should be supposed to know something of the laws which regulated the relations and intercourse of nations, and were not without their influence upon the laws of war itself. But he did not mean by this to gainsay what the noble Duke had himself said as to his knowledge of the law of nations. By no means. He was not going to advocate, or attempt to prove the noble Duke's acquaintance with the matter. If he meant to do so, he must say the noble Duke had furnished him with a most miserable brief in his correspondence on this subject. Every word of the correspondence was directly against the supposition that the noble Duke knew any thing about the law of nations. The noble Duke and the noble Earl first considered the island of Terceira and the Azores as "a whole;" the law of nations would not bear them out in considering them so; but no matter, they were resolved to consider them as one entire whole. Then the noble Lords, after considering all the Azores as a whole, said "we will consider the island of Terceira as divided into two or three parts." Why? —because it was in a state of war! But on the face of the papers it appeared that the direct contrary was asserted and remained uncontradicted. When he looked at the correspondence, he found it absolutely stated there that Terceira was, and always had been, in the possession of Donna Maria; but the noble Lord denied this, and said the island was in a state of civil war. When speaking on another occasion of a somewhat larger island than Terceira (the island of Candia), it had been said that Candia was in a state of civil war—and he believed it had been in that condition for more than seven years—but noble Lords opposite said we were not so to consider it. It was said, "True, the people are Greeks, and they are uneasy—very uneasy—but then the ports are in the hands of the Turks; they are the ruling power, and you call upon us to make war upon our allies by interfering on the ground of some civil dissensions, which you call civil war." To steer from Candia somewhat westward, and come to Terceira, we found the island in the hands of Donna Maria's subjects, with a few sulky monks skulking in the mountains,—some civil dissensions,—and Ministers cried out immediately, "Oh, there is civil war there,—civil war enough to justify us in preventing this expedition from proceeding." Noble Lords opposite had furnished their Lordships with some papers on the subject, but not with all. What they had furnished supplied them with no plausible defence for their own conduct; but, where that was wanting, they were not very nice about their assertions, and so made out the best case they could. The observations of the noble Earl seemed to imply that the information offered by the noble Marquis to the House was not correct in all points. Perhaps not: but it could not be denied that in the four ships there were no others than Portuguese on board;—no foreigners,—no Germans, as had been alleged. But even if there had been German soldiers on board, the matter ought not to have given rise to the transaction in question. But the noble Lord said, the soldiers cheered with delight the word "expedition." How were they to be divested of their character of troops? When they came into this country they might have been dispersed, but Ministers did not adopt that measure: such being the case, they should not afterwards have taken advantage of their own laches. But, assuming that these unarmed men did possess the character of troops, what right had we to interfere with the subjects of Donna Maria, an independent sovereign?—no, not an independent sovereign, for she depended upon our favour and protection, which had been first afforded, and then groundlessly withdrawn. The noble Lord said "Look at the case of Spain;" but that case was completely different from the present. The noble Duke (Wellington) shook his head at this assertion, but he (Lord Holland) was willing to stake the issue of the question upon the noble Duke's own words. He had formerly heard the noble Duke speak, and seen him vote on the subject: the noble Duke on that occasion, taking great credit to himself (as he was undoubtedly entitled to do), for his extensive military and local knowledge, confirmed his vote by stating that he took upon himself to say, as a military man well acquainted with the localities, that the frontiers of Portugal were actually invested by the force referred to. Did the present case at all resemble that? He thought not. Here not more than 600 men sailed in each vessel; and to say that 3,000 troops had been sent away for Terceira, was a gross exaggeration, for there were only four vessels. To return to the case of Spain, it had been truly said that she ought not to be permitted to receive Portuguese deserters, and make use of them for the annoyance of Portugal. But that she did receive and arm them was undoubted; and it was equally clear that efforts were made by the government of that country to combine the influence of a corresponding faction in both countries, in order to promote disturbances in Portugal. But he did not think that case at all in point in the present instance, or that if the two cases were similar, there existed ground for interference in the latter; or that it afforded a *dignus vindice nodus*. This was not a case in which a neutral country should step forward. He believed it all originated in a little pique and offence taken by Ministers about the arms; and that if they had been sent out in a merchantman instead of a Brazilian frigate, we should not have heard a word on the subject or seen an act done. He saw by the manner of noble Lords at this moment, that they drew a great and broad distinction between the use of a king's ship and a merchantman for this purpose; but he was talking of the matter as it affected Portugal. If the Queen of Portugal had arms at Terceira, did it matter how they got there? But Don Miguel would say to us, "You knew very well that there were arms at Terceira, and yet you sent out the constitutionalists thither: this is a ground for a declaration of war." If the noble Duke happened to be travelling in a neutral country, would he not think it hard if a belligerent were to say "Don't let that great man go; I know he will have the command of an army on the frontier, which is prepared by my opponent, and only waits his arrival to commence operations against me,—therefore don't let him pass; he is a host in himself—the army is nothing without him; and recollect, if you do allow him to join the army, I will go to war with you." Now this was pretty much the case of the men and the arms in the present instance—the arms were at Terceira, and we who ought to have acted as neutrals would not allow the men to land lest they should use them. Would Don Miguel have picked a quarrel with us because these unarmed men left our shores for Terceira? Had he done so? The noble Duke said on a former evening that other governments had not done their duty—if they had, this obstacle at Terceira would not have existed. Yet the noble Earl said he was willing to be tried by public opinion—of course he did not include the opinions of governments "which had not done their duty," and would hardly appeal to such a tribunal. The language employed on that occasion appeared to him rather extraordinary. He himself had been sometimes rebuked (he hoped without much foundation) for using too warm and intemperate language when speaking of acts of ministers of which he had disapproved; but it was a different thing for an individual to state his opinion with respect to the conduct of a Minister, and for a Minister to bring a charge against other countries of not having done their duty in an important matter. Ministers appeared impartial in expressing unfavourable opinions upon governments in some cases, though they did not always act impartially between them. The noble Earl described a prince, to whom his acts were more favourable than his language (and with respect to whom there seemed at one time tolerably good ground for a supposition that he would be recognized by this country, but he (Lord Holland) believed that idea had now gone by, and for very odd reasons too). Speaking of this potentate, the noble Lord described him as false, cruel, and cowardly; and then a sort of attack was made upon another branch of the House. But probably noble Lords thought there was nothing wonderful in this; the family were all very odd sort of people! and perhaps one brother did not appear much better in their eyes than the other. Ministers said, "We have been endeavouring these two years to reconcile these two persons: we began the negotiation separately, and we are now carrying it on in conjunction with other states: the negotiation is in some sense going on, and in some sense it is standing still; it is a negotiation to a certain extent, and to a certain extent it is not a negotiation." The whole matter seemed, from the statements of the noble Earl, to be in a most vague and unintelligible condition, having nothing about it more extraordinary than the fact, that the noble Earl regarded our being on very bad terms with both parties as a considerable advantage. Being in bad odour with both sides might prove our justice and impartiality; but such a circumstance was rather inconvenient when we wished to act as mediators, and make peace between them. It appeared, indeed, which was probably the consequence of our peculiar relation to both parties, that the French minister had all the business to himself at Rio de Janeiro; and perhaps it was quite as well that it should be so, for with all his talent for negotiation it was probable the noble Viscount (Strangford) would find himself somewhat at a loss if he went to Don Pedro, and said, "You must make peace with Don Miguel, for we think you much such another fellow as he; we have called him a usurper, and we have likewise accused you of great crimes; so we think you may go together." Really, the subject would be amusing if it were not an important one, requiring the attentive consideration of every British statesman, and a fit subject for the serious consideration of Parliament. When England had lost her hold, as he feared she had, on the affections of the Portuguese people, who had formerly looked up to her with hope and gratitude, he feared there were others ready enough to take advantage of that circumstance. He did see elsewhere the manifestation of a strong disposition to take a more decided course in the cause of liberty and legitimacy (for in this case they happened to be united) than we were prepared to take. Whichever party succeeded in the struggle which the madness of the government of France was now producing in that country, either would have an opportunity of marking, in a manner not to be mistaken, how much more it was the open and decided friend of Portugal than was this country. He did not wish to throw out illiberal reflections and insinuations against the government of France, in whatever hands it might eventually be placed, but still he had so much of the John Bull Englishman about him, though unable to give into the mean dirty jealousy of refusing to do justice to France, that he wished the Government carefully to refrain from the adoption of any course which would have the effect of giving that country a chance of acquiring an ascendancy over Portugal, which, if the opportunity were afforded, he would not say that it was not its duty to secure. At the same time, to do the French government justice, it was only fair to say, that in all the changes which had taken place since the peace, it had shown every disposition to leave us to act for ourselves in our own concerns, direct or indirect; but if we spurned from us our natural friends, and through connivance or neglect allowed our natural enemies to triumph, offering no resistance to a connection between Spain and Portugal, France would not fail to avail herself of opportunities, which British statesmen ought not to afford her. Look at the situation of Europe at the present moment,—observe that in the Mediterranean France was likely enough to reap a harvest of glory and honour such as had usually been reserved for the British flag. See England every where falling into the rank of a second-rate power: contrast the situation in which she now stood with that which she occupied when the Duke of Wellington was placed at the head of the Administration, and there was nothing cheering or consolatory in the prospect! The only two powers now in existence in Europe were the great military power of Russia, and the power of public opinion in the west of Europe. Both of these were with us in 1827: he feared they were both against us now. He should vote for the present Motion, because, if carried, it might tend to retard the completion of this fatal decline. If agreed to, it might be useful to the Government and the country, as expressing some sympathy with the past sufferings of the individuals referred to in the Motion, and possibly such an expression of their Lordships' opinions might afford some guarantee against the occurrence of like transactions in future. Let their Lordships add their sympathy to that of the nation, which was roused in favour of the Portuguese refugees, and if aided by Parliament, would acquire twice its force. It was well known that if the noble Duke (Wellington) sometimes unfortunately followed a narrow course, he could turn round in a short time and free himself and the country from the mischief entailed by persisting in it. He hoped and trusted such might be the case upon the present occasion. A light might have broken in on the noble Duke from some quarter or other within the last two months (he hoped it had) which might perhaps show him that it would be better, he did not say to prepare for war, but to support the interests of Donna Maria with more energy, sincerity, and decision than before. Conceiving this Motion to be one which contained statements incontrovertible in point of fact, and strong allegations in favour of sound principles; seeing that it proposed to vindicate the honour of the country, that it was dictated by feelings which did great credit to the noble mover, believing it would be advantageous in a public point of view, and that to adopt it would be neither unseasonable nor improper, he felt great pleasure in saying "Content."

The Duke of *Wellington* observed, however anxious he might have been that noble Lords should have an opportunity of discussing the affair of Terceira, that had certainly been afforded them, both in this and the last Session of Parliament. That was he believed the fourth time it had been under discussion, and he conceived that every objection which had been introduced had been plainly and satisfactorily answered; but he must say, that a more extraordinary mode of bringing forward the discussion than that which had been resorted to on this occasion had never occurred in any instance whatsoever. The noble Lords who supported this Motion, after admitting that this country had a right to remain neutral,—after admitting that Great Britain had a fair and just right to remain neutral, or to adopt either of the two courses which were open to her with respect to these contending parties,—those noble Lords now stood forward and certainly did pronounce the most severe and the most uncalled-for invectives against his Majesty's Ministers, for pursuing that line of conduct to which they had thought proper to adhere. He would assert, that after the affair of Oporto, if they had previously entertained any doubt of the propriety of remaining neutral, they must have been convinced that neutrality was the only course they could pursue, unless they sent out an army to Portugal, to conquer that country for Donna Maria, and to uphold the new Portuguese constitution. He was at the same time perfectly convinced, if any such project had been laid before their Lordships, that they would at once have rejected it, and looked upon such a proceeding as one unworthy of this country. He would contend, that those who took the course which was now complained of,—those who supported a system of neutrality,—did so because they saw that the whole kingdom of Portugal, civil as well as military, was adverse to the party which wished to interfere with the then existing state of things; but with this fact in evidence before them, the noble Lords came forward and pronounced the most violent invectives against Ministers, because, instead of adopting that sort of proceeding which he had just pointed out, they had deemed it more advisable to remain neutral in the contest. Having determined, then, thus to continue neutral, how did Ministers afterwards act? They did all they could, in the first instance, to save that body of men whose designs had totally failed. They were received in this country in the best possible manner; but certainly they were not received as a body of troops. Ministers did not know them or recognise them in that capacity. Ministers did not, and could not, know them as a body of troops, sustained and supported by the English creditors of the Portuguese government. Those men, however, with the exception of not being in arms, were, in every other respect, doing all the duties of the military profession and that, too, under the very guns of one of his Majesty's naval arsenals. There they remained for four months; yes, for two months after the period when he was informed, by a person best able to give accurate information on the subject, that these men were organised as a body of troops. His noble friend near him (the Earl of Aberdeen) had stated that the party in Portugal which supported the government of Don Miguel consisted of the decided friends to this country. The fact really was so. He had stated the other night, and he now repeated the statement, that, with the exception of a very small number of people, this country had not an enemy in Portugal. When Ministers saw that the entire body of the people were in favour of Don Miguel, when they saw that a great body of the population, including many persons of rank and distinction, were the friends of Don Miguel—how were they to act? Why, the first proposition was this—"Shall we give to a body of troops, now collected together in this country, convoy to the Azores?" That proposition was made to Government, and it was very justly refused. Those people were told by him, and it was one of the points much relied on by noble Lords, that they might proceed as individuals to the Azores if they pleased. He certainly might have left out that part of the letter without any detriment to it. But he would ask, did those persons go out as individuals? He contended that they did not. They remained together as a body of troops; and as such, with their officers, they intended to proceed to Terceira. That was the first information which reached him; and on the 15th of October he received further intelligence of the manner in which they were paid. He was told that they were daily increasing in numbers; and that the addition to their numbers included many foreign troops who were engaged in Germany and the Low Countries to join the Portuguese at Plymouth. Was it proper, he would ask their Lordships, that a body of troops, not only Portuguese but Germans, should be allowed to assemble under the guns of the arsenal of Plymouth, for the invasion of Portugal, and that his Majesty's Ministers should take no notice of such a proceeding? Were those men to remain there, while transports were preparing in Plymouth Sound to convey them on a martial expedition, and Ministers to look on without interfering? The subject was maturely considered by Government, and those men were ordered to separate, and to proceed to different places in the neighbourhood. The noble Earl had endeavoured to draw a distinction between those persons assembled at Plymouth, and the Portuguese who took refuge in Spain. He said, that the troops who had thus entered Spain from Portugal were deserters. It was true they were deserters; but it was equally true that there was a special article in existence, with respect to deserters, between the two governments of Spain and Portugal. The noble Earl did not seem to be aware of an arrangement by which it was agreed, that on the giving up of arms on both sides, there should be an end of the question with respect to deserters. The troops, therefore, who took refuge in Spain were precisely in the same situation as the Portuguese troops in this country; and when it was found that those individuals were marched on an expedition hostile to Portugal, a body of troops was at once sent from this country to defend Portugal. But then the noble Lord said, " Ay, but the Portuguese troops in Spain were armed, and the Portuguese troops here were not." But he would very soon show the fallacy of any argument founded upon that point. Here came the question as to the correctness of the assumption of the noble Baron who had spoken last, and whose speech had so much entertained the House. How stood the fact? Why the truth was, that the arms of the Portuguese troops who had left this country had absolutely gone before them. And in his letter of the 22nd of September, to the Marquis of Palmella, he stated that the arms of those troops had already been sent abroad. It was the fact that he then pointed out the mode in which those arms were sent out of the country, and the trick that was played in order to effect that object. Arms and ammunition were secured at Terceira by means of the trick which he had described in that very letter. It was explicitly stated in that letter, that the troops remaining in the town of Plymouth, commanded by General Stubbs, contrary to his Majesty's prohibition, had already sent their arms to Terceira. The fact was correct; it was as he had stated, the arms of those persons were on the spot before they left this country. Arms were ready when they arrived there to enable them to carry on operations at the Azores, contrary to the avowed neutrality of this country. The next point to which he would draw their Lordships' attention was one which those who spoke in support of the Motion appeared to have left out of the discussion, but which was, nevertheless, worthy of notice. He wished their Lordships to examine the papers, and to mark the moment when orders were given for a British force to proceed to Terceira, to prevent the scheme from being carried into execution which Ministers were perfectly aware was in contemplation. Fair notice was given to the Marquis of Palmella, and he was earnestly entreated not to suffer that scheme to be carried into execution. Not only was he advised not to give a sanction to these troops for carrying into effect the hostile purpose, which was admitted by him in the course of the correspondence to be in agitation; but when measures were taken to oppose and to prevent it, full notice of them was given to him. The question then came to this—if Ministers thought it necessary that those troops should be dispersed—if they deemed it necessary to give notice that they would prevent the execution of that hostile purpose which they knew was contemplated,—whether they could find any other and better mode of acting than that which they had adopted? That was the first question. He knew that they might have made those people disperse by means of force, and he thought that they would have been justified in doing so; but he asked whether that would be considered a discreet and wise exercise of authority? Suppose they resisted, he knew not what their Lordships would have thought of that. If, again, they were dispersed over the country, how were they to be treated? Were they to be dealt with in the same manner as the Germans, who some time ago were proceeding to Brazil? Were they to be thrown on the bounty of the country for a twelvemonth, as had been the case with the Germans, because the Brazilian minister would not provide for them, and they were finally sent away at the expense of this country? Was that the way in which they were to be dispersed? Then, he wanted to know from their Lordships, if Ministers were not to do this, what they were to do?—how they were to proceed? But the noble Lord said, that this Government might have prevented them from going to Terceira. To that he would answer, that they went out of port under false appearances; and when they went out thus, how was Government to prevent them? They declared that they were going to Rio Janeiro, a step which his Majesty's Government could not prevent. At one time, the Portuguese minister said, they were proceeding to Terceira, and at another, he named Rio Janeiro as their place of destination. Government at once declared to those parties, that if they attempted to proceed to Terceira or Portugal, they would certainly be intercepted; but they left this country under the false pretence that they were going to Rio Janeiro. Then it was demanded of Ministers, when these men adopted a false pretence, why his Majesty's Government did not act? But surely their Lordships must see that Ministers could do nothing but take the step which they had taken. Then they came to the consideration of the law of nations. He believed that it was allowed by the law of nations, where the neutrality of a country was actually violated, for that country to interfere with those by whom it had been violated. He was of opinion, that it was competent to any power to prevent a scheme from being carried into effect which was connected with a violation of neutrality. In ordinary cases, perhaps, direct intervention might be considered a violation of the law of nations; but he contended that circumstances might occur which would render that intervention justifiable; and, in his opinion such circumstances were disclosed in this case. He admitted with the noble Lord, that it was a very important point, and deserved their Lordships' consideration, whether this infraction of our neutrality was one which ought to have induced his Majesty's Ministers to take such a step as they had done. Now, with respect to Terceira, he would only say, that it was a very important station in a commercial point of view, especially as it respected ships coming from the westward or southward. He was well aware of the statements made by the noble Baron as to the strength and importance of that place; but the argument which the noble Baron had raised on that point cut both ways. As it was a strong and important place, it might be fit for the friends of Donna Maria to possess it; but it also involved a point of very serious interest with reference to the power of England, and to her commerce and navigation, because he felt strongly the importance of not allowing Don Pedro, the Emperor of Brazil, now that the two governments were divided, from coming, by any means, into the possession of any of the ancient dominions of Portugal. He therefore said it was the policy of this country—and good policy also—not to allow him to become possessed of Terceira, if they could possibly prevent it. With respect to the blockade of Oporto, it appeared to him, that in recognizing it Ministers had only done their duty. It was a blockade *de facto* by a power having possession of naval means to support that blockade; and according to all rules on which this country had acted, it was a blockade which the British Government had a right to respect. But not only were Ministers blamed for respecting that blockade, but they were also censured for not having instituted a blockade themselves. But after what had occurred at Lisbon and Oporto, there could be no ground for such a proceeding. The different motions on this subject were all of a similar character. None of them were calculated to produce public benefit; and on this, as on former occasions, he would meet the Motion with a negative.

Lord *Goderich* said, the noble Lord opposite had complained that the present was now the third or fourth time when this subject had been brought under the consideration of their Lordships; and he seemed to urge that as a reason for not acceding to the Motion. Now, he could not help feeling, when he considered the circumstances in which their Lordships were placed with respect to this question, that those circumstances justified his noble friend in again expressing his opinion. At the close of the last Session of Parliament, his Majesty was advised to lay before their Lordships certain papers explanatory of the course which his Majesty had been counselled to pursue. At that time his noble friend, the Secretary of State for the Foreign Department, challenged inquiry on this subject; but it was then totally impossible for any noble Lord to stir one step in the business, because Parliament rose, he believed, the day after those papers were produced. In the next Session, the question of Portugal formed part of the matter contained in his Majesty's Speech, and when the Address was moved, the subject of Terceira was noticed as a matter of great importance in itself, but of still greater importance when viewed in reference to our communications with Portugal. But what said the noble Duke on that occasion? He made it a matter of complaint that the subject was brought forward on the first night of the Session, when he had not had time to refresh his memory. It was, therefore, unreasonable for him to object to the Question now, when it was introduced as a substantive Motion. The time which had elapsed might perhaps have lessened the interest attached to the subject; but certainly it did appear to him that nothing could be more reasonable or proper, when his Majesty's advisers had laid before Parliament their views on a certain question, than for any noble Lord to bring that question under the consideration of the House. He did not mean to go at length into this subject, but having looked to it with all that coolness and deliberation which his noble friend had recommended, he could see no reason for coming to any other conclusion than that which he had formerly stated. His noble friend and the noble Duke had applied themselves to show that in the earliest parts of this transaction they had taken the most proper course. They told their Lordships that the Portuguese at Plymouth had formed themselves into battalions, that they had become a regular military body, and that, although without arms, they were, strictly speaking, troops, and were arrayed here contrary to the law of England. He admitted, and he had always so expressed himself, that Ministers had a right to say to them that they should not remain in such a posture in this country. But that was no answer for what was done afterwards. Ministers might declare to them, "You cannot remain here as a regimented body:" but they had no right, power, or authority, to put them to death after they had left this country. A neutral might undoubtedly tell persons who were at variance with a power to which that neutral was bound by pacific ties, to leave his territory as fast as they could. It was not in our power to direct a body of hostile persons to march over a frontier, in consequence of our insulated situation. We might, however, send them away; and we had no right afterwards to pursue them all over the world. Suppose there was a war in France, and that some of the belligerent parties went into the Netherlands. The King of the Netherlands might declare, "My neutrality will not allow me to suffer you to remain here menacing the country from which you have fled. You must depart from it." They might then proceed to Prussia: and if Prussia did not allow them to stop there, but drove them back again to the Netherlands, leaving them no mode of escape except by sea, would it be right, when they were placed in that state, for the King of the Netherlands to chase them all over the globe? There was no doctrine in the law of nations so preposterous and absurd as that. But the noble Duke stated, that he had told the Marquis Palmella that he had no objection to those persons going abroad as individuals; but with that candour which distinguished every thing the noble Duke said, he had admitted that this was an unfortunate expression, and he was sorry that he had used it.

The Duke of *Wellington.*—I said, it would have been just as well if I had not used it. I did not say unfortunate.

Lord *Goderich.*—Well, that was sufficient for his argument. It did appear to him that the whole proceeding was hasty, inconsiderate, and irregular. And, in his opinion, it arose from the manner in which that correspondence was conducted. They were told to go away from this country as individuals, but they were never told how or in what manner they were to go. They went away in British ships, and were exposed to consequences by the British Government to which they ought not to have been liable. But their Lordships were told, that the course taken with respect to the Portuguese who had escaped to Spain, was the same which Ministers had adopted in this case. It was true the troops were sent back by Spain, but they were armed first and, he believed that they were armed by the Captains-general in Salamanca and Ciudad Rodrigo. Thus, then, a *casus fœderis* arose, which peremptorily called on this country to defend Portugal from impending aggression. The circumstances of the two cases were perfectly distinct; and it appeared to him to be most extraordinary that Government should resort to such an argument to justify their conduct. Then the noble Duke said, that notice was given to the Portuguese, that they should not go to Terceira. But what law did they violate by going there? Did they violate the municipal law of England by proceeding thither? He contended that they did not. But suppose they did, then the course taken with respect to them appeared still worse; because, if they had violated the laws of England, they were stronger for their own vindication than the law of nations, and under it they might have been brought to trial and punished. It could not be said that we had not the power to prosecute them. If the Ministers stated that, they at once admitted that these men were not violating any law. If that were the case, then he would ask, why should those people be put to death who had not earned that punishment in any way? That he took to be the strong part of the case. Towards the close of his speech, the noble Duke had adverted to one point, which seemed to him to give the whole transaction a new character. The noble Duke observed, that it would be a very great misfortune if Don Pedro got possession of any of the ancient dominions of Portugal. Now it was not for him to enter into a speculative argument on this subject. Though he might be of opinion that it would not be right for Don Pedro to possess Terceira or the Azores, still the observation of the noble Duke led him to think that the conduct of the Government was rather influenced by that view, than by any strong feeling on the score of neutrality. That he was afraid was the reason which had led to this result. He could not, of course, dive into the motives of Ministers; but unless something of that kind had influenced them, the observation of the noble Duke had nothing to do with the merits of the case. The question was, whether it was consistent with the law of nations that we should take on ourselves to exercise this extensive authority on the high seas, and within the jurisdiction of that very sovereign whose subjects those people were? Knowing how much this country was interested in regulating all her actions on the strictest principles of justice, and seeing that by pursuing such a course as that which had been adopted by Ministers in this instance we were likely to involve the country in difficulties from which we could not extricate ourselves, he could not avoid supporting the Motion of his noble friend.

The *Lord Chancellor* expressed his anxious desire to say a few words on this subject. He was perfectly ready, after all the attacks which had been made, to declare his responsibility for the advice which he had given with respect to the matter in question. He would state to their Lordships, as shortly as possible, the grounds on which he had given his advice,—which, as it appeared to him, was perfectly proper. So far from the conduct of Ministers being blameable, he thought that if they had taken a different course they would have been subject to the just censure of the country. One noble Lord, who spoke early on the Question, wished to confine it to what the noble Baron called the last catastrophe; but the noble Baron thought it was better to take a wider range, and he availed himself of that privilege to a most extensive degree, for very little of his speech was restricted to that point. The noble Lord having confined himself so little to this portion of the subject, showed a consciousness on his part, that he did not feel himself so strong on that particular circumstance as he could have wished. Now he thought the course chalked out by the noble Baron, in not confining himself to the last catastrophe, was correct; because he was of opinion, that they ought to look to all that had gone before it, and to go step by step in order to convince the country that Ministers had violated no public duty, but that they were imperatively called on to pursue that policy which they had adopted. There was one principle which had been thrown out and suggested in the course of this argument, from which they could not swerve, — namely, that the situation in which this country stood called upon them to maintain a strict line of neutrality between the two disputing parties. Whether that was good policy or not he would not argue. All he would say was, that it was the policy which the present Government, as well as the governments which preceded it, had laid down. If that were correct, then he thought it followed from the premises that the course which Ministers took was perfectly proper. In the first instance it was material to consider what was the conduct of the parties. The noble Baron said that Ministers laid down neutrality as the principle which they meant to act on; but he insinuated that our feeling was not impartial,—that it was all on one side. Now he would refer to facts, and he would do so to show that this charge was totally destitute of foundation. This country afforded a refuge to those individuals who were so unfortunate as to be worsted in the struggle which took place in Portugal; and means were afforded them to facilitate their arrival here. For some time after they were settled at Plymouth no notice was taken of them; but at length it was found that those 3,000 refugees who took shelter in this country had assumed a military character, and that they were paid by the Marquis of Palmella out of funds provided by the Marquis Barbacena. It appeared that General Stubbs had gone down from London to command them, and they had all the character of a military body. As the noble Viscount had said, we could know of no such persons as Portuguese troops in this country; and it was therefore determined, either that they should be divided in cantonments, the officers being separated from the men, or else that they should leave the country. Could Ministers, he would ask, pursue any other line of conduct consistently with the dignity and security of the country? Was it ever heard of or known, that a body of troops, disciplined in this country without the knowledge of Government, had been suffered to remain here? It was necessary for the character of Ministers that a stop should be put to such a system. But besides these Portuguese, Ministers learned that there was a body of 200 or 300 Germans recruiting on the Continent, who were to come to this country, and finally to embark with the Portuguese force, for which purpose they had transports in the harbour of Plymouth. He would not depend on any statement of his own, but he would refer to the language of the Marquis Palmella himself, who admitted that the appearance of these troops would excite fear amongst one party, and give confidence to the other. What did he say? Why that this levy of troops would create dismay amongst one party, and give pleasure and delight to the other. As to the law of nations, no one could doubt what he was about to state,—namely, that a body of troops belonging to one of the belligerent parties, and going to a neutral state, could not be allowed to remain there for the avowed object of opposing one party or of supporting another. Such a proceeding could not be tolerated; and on that principle they had acted with respect to Portugal. What was the next step? Why, the Marquis Barbacena applied for permission——to do what? To embark these men for Terceira: and for what purpose? Why, to give succour to one of the contending parties: for, in considering this case, they must take the whole of the Portuguese dominions as being engaged in the struggle. The Marquis Barbacena wished to proceed there, under a British convoy, to strengthen the young Queen's party. But he asked, if they had consented to that, would they not have been breaking their neutrality? And could any man, if such a project were allowed, attempt to argue that this country had acted fairly? The next proposition was, to send these troops to Rio Janeiro, and Ministers were asked, would they give a guarantee that they should not be molested? They would not give a guarantee, but they offered a convoy; and he doubted much whether they had a right to do so. There was, however, an express arrangement that those persons should go to Rio Janeiro, and not to Terceira; but that engagement had been broken. It was said that all this was harmless, as they were unarmed men. But that argument was altogether untenable, because, as they were organized, they had no right to go there; and he asked what did it matter whether their arms were at Terceira or in this country? When they said they would go to Rio Janeiro, and not to Terceira, he maintained that we had a right to keep them to their promise. They received ample notice, when off Terceira, that they would not be permitted to land. They were desired not to approach, and one or two shots were fired to warn them off; and it was not till they were approaching Praia, that the gun was fired which was attended with such melancholy consequences. The consequences must, however, rest with those who were guilty of the gross breach of faith which he had stated. These were the facts placed in the narrowest compass, and those facts justified him in asserting, that from the beginning to the end good faith was maintained with these parties. Government was willing that they should proceed to Brazil, and it was not until they adopted a contrary course that steps were taken to make them adhere to their engagement. No public right was violated, and therefore there was no occasion for the Motion of the noble Lord.

Lord *Holland*, in explanation, said, that his motive for not alluding more at length to the point adverted to by the noble and learned Lord, did not arise from any feeling of its weakness or want of importance. The noble Duke had charged him with having omitted the point of notice. He did not intend to have done so. But he would now trespass on their Lordships' indulgence to say a few words in answer to that point. He would suppose that the noble Duke, instead of prosecuting Mr. Alexander, had given him notice, that if he should write another inflammatory article he would give him a drubbing, and that upon Alexander writing such an article he had given him a drubbing: would the noble Duke have been justified in thus taking the law into his own hands? It appeared to him that the two cases were not very dissimilar

The *Lord Chancellor* said, that in the Terceira case the parties had professed to submit to the wishes of our Government, and therefore had no right to complain of the consequences resulting from their breach of faith.

The Earl of *Carnarvon* denied that the Marquis of Palmella had given any distinct pledge that the troops should go to the Brazils, and not to Terceira. On the contrary, it appeared that the Marquis had acted throughout with perfect candour and good faith. Their Lordships were told that this country was entitled to maintain its principle of neutrality, and to exact attention to it on the part of those who had found an asylum here. That was the case while they were in this country; but that principle gave us no right to make a hostile attack on these unfortunate people for the purpose of driving them from their own shores. When they had got to those shores they were entirely out of our jurisdiction. But it was said, that they had sent arms before them, which were ready to be put into their hands when they arrived in the island. Was it clear that such was the fact? Certainly he found no satisfactory evidence of it. The noble Duke feared to keep them here as a body. That was rather an extraordinary fear on the part of the noble Duke; but it appeared that he feared as much to allow them to go hence as a body. The noble Duke wanted them to disperse; but they preferred, naturally, to leave the country; for, if they should be dispersed, they must starve, as the subscriptions would then, probably, cease, and their subsistence depended on their remaining as a body. The real question had been always blinked by the Ministers; which was not whether they had a right to expel the refugees from our own ports, but whether they had a right to pursue them from one quarter of the globe to another. While here, Ministers might have a right to control their proceedings and motions; but what had that to do with the act of driving them, by a hostile attack, from their own shores? That was the point in which the Ministers had violated the law of nations. Well, but, said the Ministers, perhaps we did act contrary to the law of nations, but then we had a right to do so, since they violated their promise. He did not think that they had violated their promise; but if they had, that gave the Ministers no right to violate the law of nations. Suppose they had violated their promise, were they the only one of the two parties who had done so? Was there not a much more grievous violation of promise on the part of Miguel? He was one of those who thought at one time that this question of neutrality had been sufficiently discussed, but he thanked the noble Marquis for bringing it forward again; for it was now so manifest that the neutrality had not been preserved, that the question might be considered as at rest for ever. We had violated that neutrality in opposition to that side which both our honour and interest required us to support, and the Ministers justified the course by a kind of special-pleading arguments. He should vote for the Motion, because he considered that the Ministers, by their conduct, had put an end to all the hopes of the loyal party, and had sacrificed both the interest and the honour of the country.

The Duke of *Wellington* explained, that he was apprehensive of the consequences, in case the troops had refused to obey the order to disperse; and therefore had felt a disinclination to issue such an order: with respect to what had fallen from the noble Baron as to the notice, he must say, that he had twice given them notice that they must not go to Terceira.

Their Lordships then divided, and the numbers were—Content, present 21; proxies 10; total 31. Not-content, present 61; proxies 65; total 126. Majority 95.

Against this decision the following Protest was subsequently entered on their Lordships' journals:

PROTEST—TERCEIRA.—"Because the forcible detention or interruption of the subjects of a belligerent state, upon the high seas, or within the legitimate jurisdiction of either of the belligerents, by a neutral, constitutes a direct breach of neutrality, and is an obvious violation of the law of nations. And such an act of aggression, illegal and unjust at all times against a people with whom the interfering power is not actually at war, assumed in this instance a yet more odious and ungenerous aspect, inasmuch as it was exercised against the unarmed subjects of a defenceless and friendly Sovereign, whose elevation and right to the Crown of Portugal had been earnestly recommended and openly recognized by his Majesty, and whose actual residence in Great Britain bespeaking confidence in the friendship and protection of the King, entitled both her and her subjects to especial favour and countenance, even if considerations of policy precluded his Majesty's Government from enforcing her just pretensions by arms."

Vassall Holland.
Somerhill.
Carlisle.
Granville.
Wm. Frederick.
Radnor.
Cowper.
Melbourne.
Seaford.
King.
Calthorpe.
Carnarvon.

HOUSE OF COMMONS,

Tuesday, March 23.

Minutes.] Lord **Francis Leveson Gower** brought in a Bill to continue for a time, to be limited, the several Acts for the encouragement and improvement of British and Irish Fisheries. Read a first time.

[The Act was only intended, his Lordship explained, to continue those Bounties for the present Session.]

His Lordship also obtained leave to bring in Bills to consolidate and amend the laws respecting Tolls and Customs in Ireland, and to regulate the importation of Arms into that country. The Illusory Appointments Bill was read a third time and passed.

Returns Ordered. On the Motion of Mr. **Ward**, of all Fines imposed during the last three years on Dealers in Foreign Wines:—On the Motion of Mr. **Hume**, of all sums expended on the Bridge, Harbour, or other Public Works of Londonderry since 1814, specifying the dates, and all other particulars necessary for the information of the House: of all Officers who had been dismissed the service without trial by Courts-martial since 1827, together with returns of all general regimental and district Courts-martial held from 1820 to 1829:—On the Motion of Sir **Thomas Freemantle**, of the total quantity of Butter imported between 1801 and 1830 inclusive, distinguishing the countries it came from; and of the foreign Butter and Cheese imported during the two last years:—On the Motion of Mr. **Jephson**, Copy of Correspondence between the Commissioners of Charities and the Trustees of Morden College:—On the Motion of Mr. **Bernal**, of the sums received by the Corporation of the Trinity House of Deptford Strond, under the Act of the 6th of Geo. 4th cap. 125, sec. 4, with a list of the names of river pilots:—On the Motion of Sir **Henry Parnell**, in consequence of Lord L. Gower having intimated his intention to bring in a Bill on the subject of the Fisheries, of all sums of Money expended on the Fisheries of Great Britain for each of the last five years, together with the Expenses of the Establishments connected with them.

Petitions presented. Praying for the abolition of Slavery, by Sir **John Wrottesley**, from the Protestants of Hanley and Lane End, Staffordshire. For a reform in the Administration of the Laws, by Mr. **Hume**, from the inhabitants of Carlisle. For the abolition of the East India Company's Monopoly, by Mr. Hume, from the inhabitants of Wootton-under-Edge, and from the Clothing Districts of Batley and Soothill, Yorkshire:—By Sir **John Lowther**, from the inhabitants of Carlisle. For the removal of impediments to the cultivation of Anatomy, by Mr. **Warburton**, from the Surgeons and Physicians of Sheffield.

[The hon. Member said, that his opinions on the subject were unchanged, and his only reason for not renewing the Bill of last Session was, that he hoped a measure would be introduced in the other House, so as to get rid of some of the obstacles which had proved fatal to his Bill in that House.]

For Relief in Distress, by Sir **Gilbert Heathcote**, from the inhabitants of the County of Rutland:—

[The hon. Baronet bore testimony to the respectability of the Petitioners, and urged upon the House the necessity of effecting a reform in the representation of the people.]

By Mr. **Ramsden**, from Huddersfield, praying also that Salaries might be reduced:—

[In this prayer the hon. Member said, he heartily joined, though he had no wish to unsettle the Administration.]

By Admiral **Sotheron**, from the Owners and Occupiers of Land in the County of Nottingham also, and earnestly praying for a reduction of Taxation:—

[Mr. S. Lumley supported the prayer of the Petition.]

By Mr. **Western**, from the Hundred of Clackclose, Norfolk, signed by 500 persons, and against the Bill of 1819:—By Colonel **Davies**, from the manufacturers and others of Dudley. For removal of disabilities in the Jews by Mr. **Hume**, from the inhabitants, being Jews, of the northern and eastern divisions of the Metropolis:—by Mr. **Monck**, from a person named Thomas Flanagan. For a Registry of Births in Ireland, by Lord **Castlereagh**, from Archibald Hamilton Rowan and George Cockburn. For a License Duty on Hawkers and Pedlars of 25*l.*, by Lord G. **Somerset**, from the regular dealers in the county of Monmouth. For holding the Parliament in Ireland once in every three years, by Mr. **Monck**, from Killsaran and Slabannaun. Complaining of the conduct of the Corporation of Londonderry, by Mr. **Hume**, from John Sheehan, whom Sir George Hill described as a stranger in Londonderry. Praying for the abolition of Capital Punishment in cases of Forgery, by Mr. **Dugdale**, from the Clergy, merchants, bankers, and manufacturers of Birmingham. For the repeal of the Malt and Beer Duties, by Mr. **Cavendish**, from the farmers, tradesmen, and other inhabitants of Brede and Udimore, Sussex. For making Houses let in Tenements liable to the Poor-Rates, by Sir M. W. **Ridley**, from Newcastle-on-Tyne. Against the Free Trade in Beer, by Lord **Stanley**, from the inhabitants of Bury. By Lord **Nugent**, from Mr. Thomas Wilson, an architect, praying to be heard at the Bar of the House, in favour of a plan he had completed for the erection of an immense Pyramid, intended for a National cemetery, and calculated to hold five millions of bodies. This building would, as he alleged, prove both ornamental and useful, and afford occupation to the living, as well as a place of secure interment for the dead.

Emigration.] The Marquis of *Chandos* presented a Petition from a hundred in Buckinghamshire, for the application of a portion of parochial Poor-rates to the assistance of voluntary emigrants. The noble Marquis, in supporting the prayer of the Petition, said, he hoped that Government would take the subject into its consideration, as he knew of no more efficient mode of lessening the Poor-rates, and improving the condition of the working classes, than supplying those who were unable to procure work with the means to emigrate to such of the colonies as have a demand for their labour.

Mr. *W. Horton* begged leave to say, that he intended to bring in a bill to meet the wishes of the petitioners. Should the

House favour him with its support, he would endeavour to convince it of the practicability of applying a part of those rates to assist the unemployed operative to emigrate where there was a demand for labour, and also of its expediency and efficiency, and of the groundlessness of those objections which had been made against it.

Mr. *Portman* said, he coincided in opinion with the right hon. Gentleman, that this matter ought to be seriously taken up; but he regarded the Ministers as the only persons who could successfully carry it into execution. Government, he thought, ought to appoint a committee to investigate the matter first, and point out the proper methods in detail for executing the project. He conjured the House not to deserve the reproach of being unable and unwilling to do any thing to relieve the condition of the poor.

Sir *Thomas Freemantle* concurred in these opinions. He was sure that it would not cost parishes more to send their paupers to colonies, where they might be comfortable and happy, than it cost to keep them at home in want and wretchedness, where so little demand existed for their labour that they were set to break stones to keep them out of mischief.

Mr. Secretary *Peel* considered the subject to be one of almost equal difficulty and importance. His right hon. friend, the Colonial Secretary had directed his attention to the subject, and had, as a preliminary step, sent out an intelligent person with a view to establish a uniform system of emigration to the North American colonies. With respect to parishes mortgaging their poor-rates, that was a subject of great difficulty, and he did not yet see in what manner Government could take it up, and he was not prepared to give an opinion, either one way or the other. He would not then enter into a discussion of the points alluded to by the petitioners, but should reserve his opinions till his right hon. friend's (Mr. W. Horton's) promised measure was before the House. To the details and principle of that measure he would give his best attention,—the rather, as his right hon. friend had, on a former occasion, displayed such a perfect mastery of the question in all its bearings,—had, in fact, so exhausted the subject that no committee or further inquiry was necessary. He was glad that his right hon. friend had announced his intention of bringing forward a measure the tendency of which was to lessen the amount of Poor-rates, as it would afford the House an opportunity of examining his right hon. friend's proposition more carefully than it had done. He should be happy to give his assistance to a measure for consolidating the several laws respecting the poor, should any hon. Member take upon himself the task.

Mr. *R. Colborne* thought it was time that something should be done with the now undeniable superfluous population, for whose labour there was no domestic demand. Under such circumstances, the Act of Elizabeth could not be strictly adhered to. If relief were given only to sick and infirm, many able-bodied men must starve. He hoped, therefore, that either the Government or the right hon. Gentleman would succeed in introducing some practical measure.

Colonel *Wood* anticipated the best results from the intended bill of the right hon. Member for Newcastle-under-Lyme. It was evident that a part of the evils of the Poor-laws arose from the mal-administration of them.

Petition to be printed.

VOTING BY BALLOT.] Mr. *D. W. Harvey* presented a Petition from Colchester, for a Reduction of Taxes, a Reform of Parliament, Triennial Parliaments, Election by Ballot, a Commutation of Tithes, and relief to the productive industry of the country by a commuted Property-tax, and by applying a portion of the Bishops' revenues to lessening the public burthens, to all of which he cordially and cheerfully subscribed, save the prayer for election by ballot.

Mr. *Hume* supported the prayer of the Petition, particularly that part of it which requested that voting by ballot might be the principle of reform. That was the only means which could be adopted to check the operation of undue influence at elections, and to enable every man to give a conscientious vote. The hon. Member on a former occasion had stated, that his constituents were averse from election by ballot, but he was probably now convinced of the contrary. If the hon. Member canvassed the country, he would probably find that opinion was in general in favour of this measure, because it was the best means of preserving the popular power.

Mr. *O'Connell* also supported this part of the prayer of the Petition, because he knew tradesmen were frequently obliged to vote against their wishes. He had been implored by his constituents not to relax his exertions to obtain voting by ballot, and he should certainly attend to their wishes. He would begin his undertaking by collecting the names of those who supported him on the former occasion.

Mr. *Harrison Batley* objected to the proposition for voting by ballot, and declared he would always most strenuously oppose it. He should consider such a measure as a fatal blow to the British Constitution.

Mr. *D. W. Harvey*, in moving that the Petition be brought up, added, that he had certainly stated on a former occasion, that his constituents were averse from voting by ballot, and such was then his belief, but he now found that he was mistaken.

Petition to be printed.

SURREY PETITION.] Mr. *Denison* presented a Petition from the freeholders, inhabitants of the County of Surrey, agreed to at a public meeting regularly convened and most respectably attended. The Petition was moved by one of a class of persons which, he was afraid, was rapidly diminishing—he meant the class of English country Gentlemen. It complained of extreme distress, arising from excessive taxation, of which it prayed for a great reduction, declaring that what had been already done was not sufficient —for great retrenchment in all public departments, and for a Parliamentary Reform. The hon. Member entered into a view of the causes of our present distress, ascribing it to the vast sums we had expended during the late war; subsidizing all the powers of Europe, from Naples to Russia, and to the Bank Restriction Act of 1797. We were now paying the price of those proceedings. They had led to the inundation of the country with paper money; and, subsequently, to the revulsion of 1819. He did not join with some of his friends near him, in wishing to have the currency again depreciated, though he thought that was a subject which wanted further investigation. When he considered too, the great liabilities of the Bank of England, he was rather fearful of what might be the consequences should any convulsion, of which there were not wanting signs, occur on the Continent. He hoped, therefore, that the Government would take the subject of the Currency into its serious consideration during the recess, for the sooner it was discussed, with a view to having it placed on the same footing in the three kingdoms, the better. He thanked the Ministers for their late reduction of taxes, but thought they ought to go further, and much diminish the public burthens. Perhaps, too, a banking system somewhat similar to that of Scotland might be advantageously adopted, with some little alteration, to adapt it to this country. If that were done, and the weight lightened which lay on the springs of our productive industry—with a great reduction of taxation, particularly if the tax on Soap and on Candles, and on Malt, were repealed—with a reduction, too, of salaries, and the diminution of our colonial expenses, he thought the energies of the country would yet bear it through all its difficulties; and that the people might again be prosperous and happy.

Mr. *C. N. Pallmer* begged to add his strongest testimony to the respectability and unanimity of the meeting which had passed the Petition just presented. The House would observe, that this petition was the first which had been presented since the Chancellor of the Exchequer had made his exposition of the financial intentions of the Government. It would appear that the reductions proposed were considered as by no means sufficient to meet the exigencies of the country. He, for one, was far indeed from undervaluing those reductions. He appreciated highly the principle upon which they had been made,—namely, the relief of the labouring population. It was a great boon that the poor man's beer should be made cheap, and especially that it should be unaccompanied by licence regulations, which would bring it to his domestic circle; but it must not be forgotten, that to enable him to enjoy his untaxed beer in his own house, the legislature must untax the fuel which he requires to warm his cottage, and the candle which serves to light it. He hoped that the result of that evening's debate would further the great objects of relieving the public distress; that it may be placed in the power of a committee to call for reductions, and to sanction his Majesty's Ministers in the severity of any retrenchments, and the boldness of any reductions, which may be required of them; above all things, that it may urge upon them the practicability of equalizing those burthens which they may not be able to remove, and by a fair and equal tax upon property, to make all classes contribute to the public exigencies, especially those who were seeking untaxed comforts in foreign lands.

Mr. *C. Pallmer* then presented a Petition from the workmen at Barn Elms, complaining of the pressure of the existing distress. That was the residence of a great politician, and great political economist; and the petitioners had entered into some details which were not unworthy of the notice of the House. They complained of the plans to give them relief by emigration, stating, that of the 11,000 parishes in England and Wales, 1,004 did not possess each 100 inhabitants. It was not, therefore the excess of population, but of taxes, which caused their distress. They stated, that the money paid for the relief of the poor did not amount to 6,000,000*l.* sterling, per year, while the taxes levied by the Government amounted to nearly 60,000,000*l.* They complained, too, of nearly 7,000,000*l.* being annually allotted to churchmen and others, each of whom received as much as 200 labourers. In conclusion, they entreated that the grievances of the people might be inquired into and the taxes reduced.

Petition laid on the Table.

DOUBLE PUNISHMENT.] Mr. *O'Connell* rose to move for certain documents with a view to shew that certain individuals had been punished twice for the same offence. These individuals were first tried for a conspiracy to forge, and then for the crime of forgery. If it were true that these individuals were tried before a competent tribunal, and were about to be tried for the same offence before another tribunal, that would be a violation of justice, according as it was administered here, which ought not to be allowed, and which called for explanation. It was to obtain correct information on the subject, that he should then move "That an humble address be presented to his Majesty, praying that he will be graciously pleased to give directions that there be laid before this House a copy of the record of proceeding before the Magistrates in the Colony of Van Diemen's Land, and of the judgment and sentence whereby Joseph B. Clark, James Cox, Thomas Bird, William Frazer, and Charles Browne, or any of them, were convicted and sentenced to corporal punishment for the crime of forgery or conspiracy to forge, and also of the record and proceedings in the Supreme Court of the said Colony, in the year 1824, and of the punishment and sentence, whereby the said several persons, or any of them, were convicted of the crime of forgery, and whether they were punished or pardoned for the same; and also such information as may shew whether the offence in that case before the Magistrates was the same or different from that before the Supreme Court."

Mr. *Hume* said, in seconding the Motion, he must express his satisfaction that his hon. and learned friend had taken it out of his hands, for he was well able to point out what was right or wrong in any legal question. He was further anxious to state that when the Secretary for the Colonies, the right hon. and gallant General opposite (Sir G. Murray) received the first application on this subject, he evinced the greatest readiness to inquire fully into it; in fact, he wrote at once to the Colony for information, requiring at the same time that justice should be done to these persons. From the feelings by which that right hon. Gentleman was then governed, he was persuaded that the sentence of punishment, if it were wrong, and the second sentence for the same offence, would not be carried into execution.

Sir *George Murray* said, he meant to make no opposition to the Motion. He had already given the hon. Member for Montrose all the information he then possessed, and he could assure him that on all similar occasions he should feel it his duty to pursue the same course. The moment it was ascertained at the Colonial Office that an irregularity had been committed, orders were immediately sent out to put an end to the punishment. He wished to inform the House that the first proceeding occurred before the present regular court of justice was established in the Colony, and that such irregularities were not likely again to occur.

Mr. *Hume* added, that so candid and explicit a declaration gave him reason to believe that justice would be done without the papers being produced, and perhaps it would be better if his hon. and learned friend were not to press his Motion.

Mr. *O'Connell* said, he concurred in the opinion of his hon. friend, the Member for Montrose, and with permission of the House he would withdraw his Motion.

Motion withdrawn.

DISTRESS OF THE COUNTRY—ADJOURNED DEBATE.] On the Order of the Day for resuming the Debate on the Distress of the Country being moved by Mr. Herries,

Mr. *Huskisson* rose and spoke as follows:—Sir; I rise to request your indulgence for a very short time upon a subject personally interesting to my own character, and in which, I may add, that of this House is in some degree concerned. Every Gentleman who hears me is aware of the great exertions that are made by the daily press to give to the public the speeches made in this House, within a very few hours after they are delivered. This arduous task is executed, I believe, honestly and impartially; but from the difficulties which attend it, especially in protracted debates, it cannot be matter of surprise that inaccuracies sometimes occur in the reports. Upon ordinary occasions, I am sure that I am the last man who would trouble the House by calling your attention to any trifling inaccuracy; but, Sir, a mistake, which I find has inadvertently been made in sending forth to the world some words, purporting to have been used by me on the motion of my noble friend, respecting Portugal, is not of that immaterial character. In that Debate I spoke very late, and in the course of what I addressed to the House, after comparing the character of the present Ruler of Portugal to that of our Richard the third, I added something to this effect:—That if there should ever arise a struggle for the throne in Portugal, between the usurping uncle and his niece, the legitimate Queen, for one I should not be sorry if the issue of that struggle should complete the parallel:—that it would be something for the honour of high lineage and royal blood if a life of wickedness were closed by a death of courage. I am the more sure that I used expressions to this effect, as I followed them by stating that Don Miguel would then, at least, redeem himself in history from the character which had been given him in another place, of being cowardly because he was cruel. Now, Sir, in some Newspaper of the next morning, I am made to use the following words, "It was to be hoped that he would finish a life of infamy by a death of violence." Not having read the Debate, it is only very recently that I have been made acquainted with the fact of this misrepresentation. Every Gentleman must be aware that the sentiment put into my mouth is calculated to convey a meaning, of all others, the most abhorrent to the feelings of an Englishman. I have some reason to apprehend that such a meaning has, some how or other, abroad, been assigned to it. I have said enough, Sir, to rescue myself from the possibility of so horrible a misconstruction, and, I think, quite enough to satisfy the House that I owed it to them, as well as to myself, to trouble you with this explanation. I am perfectly sure that, if what fell from me in the Debate to which I have alluded, could, by possibility, have conveyed such an impression to the mind of any one individual in this House, an immediate burst of indignation would have given me the opportunity of an instant disavowal; and I am equally sure, that the mistake of the Newspaper must have arisen purely from haste and inadvertency, because I cannot believe that any man, having English blood in his veins, would ascribe to another the use of expressions which might seem to imply, if not to justify, assassination.

☞ It will be seen by referring to the report given of Mr. Huskisson's Speech, March 10th, in these Debates [*see Part* 1. *vol. xxiii.* page 141,] that we did not fall into the error alluded to. We were indebted to the first authority for a correct version of what was spoken by the right hon. Gentleman. Circumstances such as these give to this Collection of Debates a peculiar value, and explain why this is "the Document usually consulted by Members of Parliament." [*See Commons Debate, Sir Charles Wetherell's Speech, June 10th.*]

[The Debate on the Distress of the Country was then resumed.]

Mr. *O'Connell* said, he felt that some apology was due from him to the House for having been one of the persons who protracted this debate beyond the third evening; but he had an apology, and a strong one, in the sense of the duty he owed his constituents, and in the conviction that the subject ought not to be disposed of without the House being made acquainted with the great and unusual distress of the people of Ireland. The Members of that kingdom constituted more than one-seventh of the whole House of Commons, but yet, with the exception of the hon. Member for Louth (Mr. L. Foster) not one of them had said a word on the question. He avowed that, as he felt it his duty, so he should make it his object, to support one or other of the motions for inquiry. A plain case had been made out for inquiry, which was all he demanded. Although he thought that the original Motion was the more dignified and useful, yet, if any good reason appeared for preferring the Amendment, he was prepared to vote for that. His reasons for supporting inquiry were these:—It was generally admitted that there was very great distress in England. That fact had been admitted by the right hon. Secretary of State; and it was impossible to controvert it, unless it could be proved that the petitions, greater in number than had ever before been presented to the House, were a mass of misrepresentation. It was also alleged that there was distress in Scotland; not so great as in England—but still of awful magnitude. That there was distress in Ireland was equally indisputable. Early in the Session he had made that statement. It had not since been contradicted; but, on the contrary, had been confirmed. He had declared that there was great distress in Dublin, in Cork, and in Bandon; and to these he was sorry to say that he was now able to add, in Drogheda, in Newry, and in Kilkenny. He had previously declared, and the declaration had been subsequently but too well established, that in Ireland hundreds and thousands of the people were in a state of starvation. The entire agricultural population of Ireland (and in Ireland the population was almost solely agricultural) was in the deepest distress; except in those spots in which the wheat farmers had more than usually good crops last year. The condition of the grazing counties of Ireland was such, that cattle purchased a twelvemonth ago, were sold for less than they cost, so that all the expense of their food for that period was sacrificed. The only Irish Member who had spoken in this discussion was the right hon. Member for Louth, who had been pleased to say, that although in particular instances he (Mr. O'Connell) was right in his statement of distress in Ireland, yet that the general rule was the other way. He had, however, waited in vain to hear some proofs of that assertion. The right hon. Gentleman had been seeking for information with respect to the alleged distress in Ireland. Now there were two classes of persons who sought for information: the one who sought where it was to be found, and the other who sought where it was not to be found. The right hon. Gentleman ranked among the latter. He inquired respecting the condition of the people from the Receivers of the Court of Chancery. Now it was well known that in the collection of rents those receivers received only one half-year within the other. At the time, therefore, at which the right hon. Gentleman made his inquiry, they were only receiving the rents for May; and consequently could know nothing with respect to the ability of the tenants to pay the rent which had subsequently become due. They might fairly say, therefore, that there was then no arrear. But the inference which he drew from that circumstance was the reverse of that drawn from it by the right hon. Gentleman. The right hon. Gentleman then talked of something which he called prosperity at Belfast. It turned out, however, that this supposed prosperity was founded on the fact that some persons in the county of Lowth were earning the enormous sum of 4*s.* a week by weaving for the Belfast manufacturers. What was the case, however, at Drogheda, and at Newry? From Drogheda he (Mr. O'Connell) had presented a petition, declaring that out of 16,000 persons, 8,000 were destitute of the means of subsistence. In Newry also the distress was, to his knowledge, extensive. It was thus clear, that there was great distress in England—that there was great distress in Ireland—that there was great distress in Scotland. He called on the House to inquire into that distress. He must not be told that a Committee had been already appointed to inquire into the state of Ireland. The Committee appointed was only to inquire into the condition of the Irish paupers—not to investigate the general distress of the country—not to ascertain how the property of the industrious classes had been taken from them by an enhancement of the value of the currency, and by other causes. The pauper class, however, was not the only class which required relief; Ireland did not want hospitals and workhouses. The class that never begged was now demanding assistance. The industrious classes require to be relieved from the pressure that weighed them to the earth. The national energies wanted full play, and how were they to receive this—how were the burthens to be removed successfully if the House refused to inquire into their effects. The character of the present distress in Ireland was this:—On former occasions, when the artisans and manufacturers of that country were distressed, and especially when that sickly exotic, the silk manufacture, was distressed, abundant funds were collected by public benevolence for the purpose of affording relief. In the present year, however, instead of as formerly collecting 15,000*l.*, 16,000*l.*, or 20,000*l.* in Dublin, the whole sum collected was 3,500*l.*, of which the Lord Lieutenant had contributed 500*l.* This was a proof that the distress was of a character which stopped the sources of charity, and prevented the benevolent from rendering their benevolence available. This was a new feature in the state of Ireland. Under all these circumstances, the people had a right to ask the House to endeavour to relieve them. For what purpose were they sent there? Not merely to vote large sums of money for the maintenance of our Army and Navy. If they were unable to inquire into the distresses of the people, why did they not abdicate a post to which they acknowledged themselves incompetent? It was a confession of their deficiency either in intellect or in honesty. Now he by no means wished to calumniate the House. He was sure that no persons in that House would abstain from affording relief to the people if they knew how to afford it. He was sure that neither those who delighted in the name of Whigs, nor those who thought themselves honoured by the appellation of Tories, nor the small and sacred band of Radical Reformers, to which he boasted of belonging, were deficient in inclination to relieve distress. But was it not proper that an inquiry should be entered into to ascertain how far that general inclination could be gratified. If it were impossible to relieve the people, at least let them not be disappointed of the hoped-for inquiry. The refusal to enter into an inquiry into the distresses of the people afforded a striking contrast to the manner in which the French Parliament had recently behaved under similar circumstances. In their answer to the speech with which the King opened the Sessions, that illustrious assembly, which had since had the honour conferred on it of being prorogued because it had declared its determination to vindicate its independence, thus expressed itself; "The reduction of the public revenue which your Majesty has announced is a symptom of an afflicting nature; we shall do all in our power to investigate the cause of the distress which it announces." This was a specimen of the real representation of the people which existed in France; a representation connected with no oligarchy—with none of those higher, those towering stems, which were secure from the storms that blew on the humble shrub and withered it in its lowliness. But surely it ought not to be said that the gentlemen of England, of Ireland, and of Scotland were not equally willing to inquire what relief could be given to the distressed population of their own countries? Would they abstain from all efforts, and wait patiently on the strand until the tide should come in and float the grounded vessels? Would they leave that to chance which ought to be subjected to the dominion of an over-ruling intelligence? The proposition for inquiry had been resisted on various grounds. In the first place, the Vice-president of the Board of Trade said, that Government had already afforded the people relief by taking off taxation. He could not, however, concur in the opinion of the right hon. Gentleman that that was a sufficient relief. Three millions of taxes were to be taken off the people of England; but then they were not to be taken off until October. It was an odd species of relief to tell the sufferers that if they survived until the month of October they should then drink beer cheap. So much for the people of England; but what was to be said to the people of Ireland? From the taxation of the people of Ireland the Chancellor of the Exchequer had taken off 30,000*l.*, or 40,000*l.*, in the shape of Leather duty. It was well done; and as far as it went he was grateful for it; but then the right hon. Gentleman had added 110,000*l.* on Stamps, and 20,000*l.*, or 30,000*l.* on Spirits. If, therefore, the Vice-president of the Board of Trade's principle, that to diminish the taxation of the people of England was to diminish their distress, was a good principle, it followed that to increase the taxation of the people of Ireland was to increase their distress. The people of Ireland found it impracticable to bear their present weight of distress; and to make them go more easily, it was proposed to make them carry double. An admirable plan! Let it be remembered, however, that it was not an Irish Parliament which had voted this kind of relief. His countrymen did not blunder practically in that way, nor fancy they relieved the people by increasing their burthens. They were said to be of such a happy temperament, that they laughed at distress; the right hon. Gentleman seemed determined that they should have enough to laugh at. The hon. Member for Newark, whose talents he respected, and whom he was sorry to hear ridiculed by an hon. Gentleman opposite, had denounced the opinions of the right hon. Gentleman on that subject. He would not use so strong a word as denounce; but he would proclaim that to diminish the distress of England by diminishing the taxation, while we increased the distress of Ireland by increasing the taxation, was a measure of which the Irish people had just cause loudly to complain. It had been said in that House that Ireland was not taxed so much as she ought to be, in proportion to England. That he denied. Calculating the rental of both countries, he maintained that Ireland, even in paying the four millions which she did pay, was burthened with more than her proportion. Let it be recollected that from four to seven millions of her rental were spent out of the country. Let it be recollected that she was taxed above a million annually by Grand Jury Presentments and Vestry Cesses. Did he want to abolish taxation in Ireland? No. What he wanted was inquiry. And was that to be refused, lest its results might be unpleasant to this country, though it would be salutary to Ireland? The principal opposition which the Motion had met with was from the Secretary of State for the Home Department. His speech was luminous—the talents of the right hon. Gentleman of course rendered it so; but it was also humorous. If there were misery without, there was certainly merriment within doors, and sorry was he to say, that the misery of Ireland had been considered a fit subject for mirth in that House. The spectacle had been presented at one and the same time of perishing artisans and labourers, a facetious Privy Councillor, and a laughing Legislature. For his own part, that which entertained others, filled him with sorrow. He should have preferred hearing the people told, that they should not receive relief, even that no inquiry should be made into the cause of their distress, in the sepulchral tones of the undertaker, rather than with a merriment of manner fit for another stage. After a triumphant reply on the part of the right hon. Secretary of State to the hon. Member for Liverpool, he placed the objections to the Motion on two grounds—grounds, indeed, which had been over and over again repeated in the course of the Debate. The first was, the fear lest the inquiry might be suffered to unsettle the principles of Free Trade; the second was, the fear lest it should compromise the eternal fixity of the Currency. For his part, he thought that we had not enough of either of these matters; that we had not enough of Free Trade, and that we had not enough of Currency. The Vice-president of the Board of Trade, in advocating the principles of Free Trade, had said very justly that it was the interest of every country to buy wherever it could obtain a commodity at the cheapest rate. True. But why did the right hon. Gentleman forget corn? What article was there which it was so desirable the people should buy cheaply as bread? To talk of the principles of Free Trade, and to maintain the Corn Laws, was absurd and inconsistent. What reason could the right hon. Gentleman give for taxing the hon. Member for Newark with inconsistency, when he himself advocated the principles of Free Trade; and yet, before he sat down, interposed his shield between the Corn Laws and abolition? Then came a gallant officer, who talked of the advantages of low wages and low prices. But to be advantageous they must be universal. Let the gallant officer repair to the levee-room of an illustrious Field Marshal in full pay, and talk to him of the advantage of low wages. It was a little too much to tell the poor of the advantages of low wages, when they were starving upon them. The gallant officer might find that the commendation of low wages was not always so safe a doctrine as it was in the House of Commons. When that gallant officer led his columns against the enemy, no man could do his duty more bravely or better. But if the gallant officer were to draw up his regiment in a hollow square, and talk to the soldiers of the advantage of low wages, it was not very likely that he would produce conviction, though he might mutiny. The people would feel deeply and long any haughty refusal to go into an inquiry with a view to ascertain how far it might be practicable to relieve them. With respect to Free Trade, therefore, it appeared that if there was any difference between himself and the opponents of the Motion, it was that they thought that those principles had been carried far enough, and that he did not think so. He pressed those principles as a reason for inquiry. He wished it to be ascertained whether an extension of the principles of Free Trade might not alleviate the distress of the people. Then it was said that the currency was fixed and settled, and could not be altered. He utterly denied that the currency was settled. In fact, it was anything but settled. There was one kind of currency in England, another kind in Scotland, and a third kind in Ireland. There was one banking system in England, another in Scotland, and a third in Ireland. With these three variations, to tell the people that the currency was fixed and settled, was to tell them that at which they would laugh. It might be right that the currency should be fixed; but in order to fix it they ought to go into an inquiry to ascertain which of the three systems was the best. Let him not be accused of a disposition to run into a wilderness of worthless rags: he wished for no such thing; but he called on the House to deliberate on the present state of the currency. Some hon. Gentlemen had talked of the spoliation which would ensue, if, after eleven years, an alteration were made in all the bargains concluded in that time, by introducing a change in the circulating medium. The reasoning of these hon. Gentlemen was good, but their premises were false. With equal justice might it be asserted by other hon. Gentlemen, with reference to England and Scotland, as he asserted with reference to Ireland, that the change of a paper currency into a gold currency had violated all the contracts which had been made since 1797, as all those contracts had been made in a paper currency. For want of some accurate solution of the important problems of the currency, many classes had already been deprived of their property—and in particular one class in Ireland, in behalf of which he desired to say a few words. Since he had been in that House, he had several times heard the middle-men in Ireland traduced. He was quite prepared, however, to stand up in their defence. They mitigated the evils of absenteeism; they gave employment to the labouring poor. In the year 1798 they formed the yeomanry cavalry of Ireland, and prevented the Revolution of France from spreading to that country. If it had so spread, what, he would ask, would now have been the value of the English funds and of English property? What was the consequence to those individuals of the change which had taken place in the currency?—That they, the most industrious members of the community, who had laid out their property in various ways for the improvement of the land, were robbed and deprived of the advantages to which they were entitled, which advantages were given to persons who were not entitled to them. By that change in the currency, the Clergy (whose emoluments were settled by no fewer than five Tithe Composition Acts) were in many cases in Ireland receiving a fifth where they ought only to receive a tenth. The difficulties of what was called equitable adjustment had, he thought, been exaggerated; at least, he denied that in Ireland the complication which was said to be a good reason for not attempting it was as great as had been supposed. He was thoroughly convinced that much misery had been occasioned in Ireland by the change which had already taken place; and it was surely desirable to inquire whether that misery might not be alleviated by another change. Let the first instruction to the Committee be, to report upon the Banking-system. The right hon. Secretary had gone back to 1793, to show that distress was not caused by his bill, but at that time and at other periods of distress, the people had been relieved by an issue of Exchequer Bills. Why then was that not done at present, or an inquiry instituted to prove that it was not necessary. The country was told, indeed, that the recent law on the currency would be useful to future generations, though it inflicted present evils; but, for his part, he must confess that he disliked these experiments upon human nature. What was this but the Jacobinical arguments used in the French Revolution—what signified 20,000 heads, or making 20,000 widows and orphans, if the sacrifice had the prospect of making a millenium for the next generation? All he argued for was inquiry, and no changes that were not the result of mature deliberation. The people were not to be told that the legislature had nothing to give them but speeches for three or four nights, the objects of which were to delude them. He entreated the House not to grope about like children in the dark, but to seize the torch of truth, and light it with the flame of patriotism, and he had no doubt that its blaze would direct attention to something advantageous to the country.

Sir *H. Vivian* said, that he had been completely misunderstood by the hon. Member for Clare. He never uttered a word about low wages; and of course never argued in favour of them. What he said was, that in consequence of low prices our manufacturers would be better able to compete with foreigners, and the people would have a better chance of getting employment. With respect to what the hon. Member had said about the army, he was sure that they would always be ready to make sacrifices, in common with the rest of his Majesty's subjects.

Mr. *O'Connell* admitted that the gallant officer spoke only of "low prices;" but the necessary consequence of low prices, he thought, was low wages.

Lord *F. L. Gower* said, that he would confine the few observations he had to make almost exclusively to Ireland, with a view to reply to the statements of the hon. Member for Clare. When that hon. Member found that the usual supporters of the side of the House on which he sat were shrinking from so general an investigation as was proposed by this Motion, and when he found that there was a disposition not to make the state of England a subject of inquiry; he dexterously shifted his ground, and made the vast distress which prevailed in Ireland the reason for demanding inquiry. That severe distress prevailed in many towns in that country he admitted; but the House must recollect, that a committee was sitting up stairs, of which the hon. and learned Gentleman was a Member, to devise the means of alleviating that distress. The whole question therefore, as respected Ireland, was virtually and practically disposed of. If the hon. Member for Clare meant to assert that the distress which now existed in Ireland was greater than that which prevailed at any former period of the history of that country, he (Lord Gower), with every respect for that hon. Member, would beg leave to deny that assertion. He did not understand that there was such an outcry in Ireland now, as to the non-payment of rents, which was heard throughout this country, and that circumstance he took to be a proof that the agricultural interests in Ireland were not suffering as severely now as in former times. In fact, he believed that at no former period were the rents of Irish landlords more punctually paid, or more likely to be so, than at present, and he would ask whether that was evidence of the existence of agricultural distress in Ireland? With regard to the commerce of Ireland, he believed that not only in the centre of business, Dublin, but that in north and east, in west and south, according to what he had heard, the commercial interests of Ireland were advancing towards prosperity. The noble Lord proceeded to illustrate the progress which the commerce of Ireland had made within the last few years, by a reference to the increased commercial intercourse which the power of steam had created between that country and England. It was his fortune to pay a visit to Ireland for the first time in 1820, and from that time forward he had felt an interest in the welfare of that country —which was then manifested, perhaps, with an idle and boyish zeal—but which it had since become his duty to entertain as a salaried officer of the Crown, and which, he would venture to say, would never be extinguished in his breast, even if it should please the Crown to discontinue his salary. He well remembered that but very few steam-vessels then sailed between England and Ireland. Government, which was always more slow to adopt improvements than individuals, had not then engaged steam boats to carry the mail, and the consequence was, that while the vessel in which he was embarked, moved like a thing instinct with life, the Government packet, it being a calm, lay like a dying whale on the deep, flapping the air with its sails, but moving not. There were now thirty-five steam-vessels engaged in the trade of Dublin alone— seventeen of these were employed in the trade between Dublin and Liverpool—the total tonnage of which amounted to 512 tons, and which brought into action 2,960-horse power. There was a curious fact in reference to this subject, which he would mention, and to which he invited the attention of the gallant Member for Liverpool. From the year 1824 to the year 1830, the number of voyages performed by these vessels between Dublin and Liverpool amounted, according to a return which he held in his hand, to 2,017, the number of cabin passengers from England to Ireland during that period was 12,771, and the number of cabin passengers from Dublin to England 14,388, leaving a balance of 1617 more of cabin passengers coming from Ireland than proceeding thereto. Now with regard to the deck passengers—those whom the gallant Member for Liverpool looked upon as paupers—he had a curious fact to mention. The number of deck passengers that left Liverpool for Ireland during that period was 37,970, and the number from Ireland to Liverpool was 16,625, leaving a balance of passengers for Ireland to the amount of 21,345. He left the gallant Member for Liverpool to draw his own conclusion from that fact. With regard to the extraordinary facilities which steam navigation had afforded for the transport of cattle and other produce from Ireland, he should mention a fact stated in a Liverpool paper, as to the transport of cattle from the west of Ireland—from Ballinasloe to Liverpool. In a Liverpool paper of the 1st of March, it was stated, that twenty-nine head of cattle, which had been shipped on board a steamer in Shannon Harbour on the 24th of February, were landed at the Brunswick Dock, Liverpool, on the day before, and from the time they were shipped on board, in Shannon Harbour, till they reached Liverpool, not one of these cattle had touched ground. Here was a decisive proof of the increased improvement not only in the external, but in the internal commerce of Ireland. Those who argued so strenuously for the distress of Ireland ought to take into the account these indications of increasing prosperity. He would leave Ireland to exert her own energies, and suffer the great measure recently passed to work its effects, for Catholic Emancipation he maintained to be the moral panacea of that country. One of the first results of that measure he anticipated would be an influx of British capital into Ireland, and he had not been disappointed. In 1824, when the hopes of Catholic Emancipation had been raised to the highest pitch, there had been a considerable inclination in British capitalists to invest their capital in Irish securities. In May 1825, Lord Liverpool's speech had dashed the hopes of the Catholics to the ground, and immediately afterwards he had found British Companies absolutely refusing to advance any money upon Irish securities. At present advances were making to the full extent that they had been made in 1824. If the inquiry were to be refused in reference to England, he had stated these facts to show that there were no grounds for instituting such an inquiry in regard to Ireland.

Mr. *Beaumont* said, that he differed entirely from the noble Lord who had just addressed the House as to the utility of an inquiry, but he preferred the Amendment of the hon. Baronet for a Select Committee, to the original Motion for a Committee of the whole House. He considered an inquiry into the distressed state of the country absolutely necessary. But that distress he believed to be general throughout the country. He did not know upon what principle support could be given to the Government from that side of the House upon this Question. Was it on account of the existence of a confidence in the Government? He had not heard any hon. Gentleman near him express a confidence in Government for what had been done, but what left regret that more had not been accomplished. If the Motion were carried it would convey, it was said, a direct censure upon his Majesty's Ministers; and as they seemed to discourage the statements of distress from either side of the House, he must confess that, in his opinion, they did not believe that the distress existed to the extent that had been stated. When it was said that they ought to have confidence in the Ministers he was surprised that no one on that (the Opposition) side of the House had risen to say, that everything that could be done by them for the relief of the people had been done. It was because he did not feel this to be the case, and that he wanted confidence in the Administration, that he should vote for the Select Committee. He regretted that the best argument against turning the present Ministry out was, that they did not know where they could get a better; but the question was not whether this Administration was better than the last, but whether it was one suited to the spirit of the times? and for his own part, he thought that the present Government had not abilities for times like the present. A very good reason for not placing confidence in the Ministers was, because they said that they could not see the present distress. To him it was evident that there was something wrong in the machinery of Government, or Ministers would feel it to be their duty to face a case which was confirmed to them on every side. Parliament might go on siding with the views of Government, but the end of it must be, that the people would come to the conclusion—not that the distress was beyond the control of Parliament—but that Parliament was within the control of Government. The remedy for the distress was quite within the reach of the legislature. Taxation was the great grievance, and that was within legislative control. He should therefore vote for inquiry. The remedy consisted simply in a great reduction of the taxation which pressed so heavily at present upon the country. He would have the taxation and the expenditure of the country reduced to the lowest possible scale consistent with the due maintenance of the service of the country, and if that did not relieve the distress, he should then tell the fundholder that he should share with us in the diminution of his revenues. The people were losing confidence in the Government; a revolutionary spirit was becoming general at home, while abroad the country was sinking into disgrace and discredit, which made him think that the House ought to enter into the proposed investigation.

Mr. *W. Peel* said, that he did not deny, and the Government did not deny, that distress existed in the country; but he was of opinion that no good whatever would result from the proposed inquiry. He could not help thinking that a great deal of time had been already wasted in the course of the debate as to the question of the degree of the distress. If a ship were in distress, it would be very odd for the sailors, instead of taking steps for its preservation, to set about calculating what was the quantum of danger by which they were surrounded. As it appeared to him, these were not points on which it was for the Government to contend. They were rather to come down to the House, and propose such remedies as seemed to them most effectual. The Government had already shown every disposition to do all in their power to relieve the distress by the remission of taxation, and they should be allowed to proceed in the good work of reduction and retrenchment. There were some Gentlemen who appeared willing to attribute the present state of the country to the measure of 1819, but he could not agree with them. The hon. Member for Callington had said, that a sovereign now would go as far as two then; but if the hon. Gentleman contrived thus with his sovereigns, he certainly could do much more than other people. It was said by an hon. Member, that England had never been so degraded in the eyes of Europe as during the administration of the Duke of Wellington, and that Englishmen never met with so much insult abroad. For his own part, he so far wished that this was the case as to drive back to this country the hundreds and thousands who were spending abroad those incomes which they drew from this country, and only for the purpose of making themselves ridiculous by apeing those manners which they could not imitate. He therefore wished that the Chancellor of the Exchequer would add a million to his Budget by laying a tax on this property. The hon. Member opposite had every right to withdraw his confidence from the Government if he thought fit, but he had no right to say that the Government did not possess the confidence of the country. The fact was quite the reverse. He thought, also, that attributing a revolutionary spirit to the people was not only not true, but that it was unjust towards Englishmen to attribute such a feeling to them. As he believed that the distress was not universal, as had been represented, so he was of opinion that what there was of distress would soon be got over, and the country would become as flourishing as ever.

Mr. *Beaumont* explained that he had not said that the Government had lost, but that it was losing the confidence of the country.

Sir *Thomas Gooch* was fully impressed with the conviction that great distress existed in the country, but he thought this Motion for inquiry, if successful, would be productive of no practical good. The Chancellor of the Exchequer had already done much, but he hoped Ministers would redeem the pledge which they had given by doing much more hereafter in the way of remission of taxation. He thought it absolutely necessary that a very great reduction should be made in the taxation which pressed upon the productive classes of the country, who were now principally suffering under the prevailing distress. He should vote against the proposed committee, because he saw no good likely to follow from it. The subjects of inquiry proposed were so multifarious, that the country would be ruined, or relief would come of itself, before that committee could make its report. He conceived that there should be a revision of our system of taxation—that those taxes should be removed which bore principally upon the productive classes of society, and the deficiency supplied by the imposition of a modified property tax. He thought that by a well-regulated and modified property-tax, to the extent of five per cent, we might be able to raise 5,000,000*l.* annually, and that we could in that way afford a reduction to that amount in the taxes that peculiarly pressed upon the productive classes of society in this country.

The Marquis of *Blandford* said, that he could not refuse to give his assent to a Motion, of which the object was, to inquire into the condition of the productive classes of society, with a view of affording them some relief from the distress which at present was pressing them to the earth. He would briefly point out to the House the course which he thought Ministers ought to pursue in the present crisis of the country. They ought to remove at once from 10,000,000*l.* to 12,000,000*l.* of taxation, and to accompany that removal by a considerable reduction of expenditure. They ought to abolish all sinecures, pensions, and useless places. They ought to modify the taxes, which they left upon the country, and for that purpose he would have no objection to concede to them a tax upon all descriptions of capital. If they would not acquiesce in this willingly, they would, ere long, find a spirit excited in the country which would compel them to do it, however reluctantly. There was at present, he was sorry to say it, but little sympathy between the representative and the constituent body. It was in vain for the people to waste their time in petitioning either House of Parliament: let them, therefore, respectfully, but firmly, pour in their addresses to the Throne from all parts of the country, stating that they could no longer endure in patience the sufferings which overwhelmed them. Then perhaps their grievances would be redressed and the Constitution regenerated. In his view he would say, adopting the language of Lord Chatham, "the present is a perilous and tremendous moment. Flattery cannot save us in this awful crisis. It is now necessary to instruct the Throne in the language of truth; we must if possible dispel the darkness and delusion which envelope it, and display in its true light and genuine colours, the ruin which is brought to our doors."

Mr. *Lennard* declared his intention of voting against the proposition for a committee, because he was convinced that the granting of a committee would not relieve the distress which he acknowledged to exist in the country. After the speech made by the right hon. Secretary for the Home Department on a former evening, it would be unfair not to admit that Government had taken a correct view of the extent of that distress. He was convinced that, at present, Ministers were pursuing a right course; and if he differed from them at all, it was as to the extent to which they thought it expedient to go. He thought that the country had a right to demand a greater reduction of taxation than had hitherto been made, and also a greater reduction of expenditure. In the salaries paid to our ambassadors there was great room for retrenchment; and he thought that we should be only acting with wisdom if we imitated the frugal example which had been set to us by other nations in that respect. He should certainly vote against the Motion of the hon. Member for Shaftesbury.

General *Gascoyne* supported the Motion for a committee, and in reply to the observations of the right hon. the President of the Board of Trade, contended that whatever might be the case in Liverpool, there was in the districts which ranged within a few miles around it, greater distress than in any other portion of the United Kingdom. Indeed, he could not help wondering at the language employed on this subject by the supporters of Ministers. To judge from their speeches, there was no distress in the country; but unfortunately for their veracity, the Ministers themselves admitted the distress of the country to be the main cause of the defalcation in the last year's Revenue. Besides, the recent proposal to repeal taxes was an indication that Ministers were at last becoming sensible to the existence, if not to the extent, of the distress. He was surprised to hear an hon. friend of his, (Sir Thomas Gooch) who some years ago had proposed an inquiry in its nature precisely similar to the present, rise up to make a speech in opposition to this Motion. The simple question then before the House was, whether the numberless petitions presented from the people were worthy of consideration, and if they were not, why were the people ever allowed to petition at all. To refuse inquiry was to tell them their complaints were of no consequence. He trusted that the people would not forget the votes which might be given that night. He trusted that those Members who now showed themselves callous to the sufferings of their fellow-countrymen, and who denied that those sufferings required to be relieved, would meet with retribution for such conduct when least they expected it. In the hope that the vote of every Member upon this Motion would hereafter gain full publicity, he would not torment the House and himself by making a longer speech, but would conclude by giving his support to the Motion for going into a committee upon the state of the country.

Sir *F. Burdett*, [who had risen with several of the preceding Members, but had never been able to attract the notice of the Speaker,] then proceeded to explain the reasons which induced him to give a vote in opposition, he said, to that of several of his hon. friends with whom he usually acted. He thought that his hon. friend, the Member for Shaftesbury, was entitled to the thanks of the country for bringing this matter so distinctly under the consideration of parliament. It was impossible that a mass of Petitions, complaining so bitterly of distress, could be left unnoticed on the Table of the House of Commons; and though they referred to a subject of magnitude sufficient to deter many persons from bringing it forward, still such was the patriotism of his hon. friend, that he had not shrunk from the task of undertaking it. He had paid great attention to the course which this debate had taken, and he was now compelled to say, that his mind was confirmed as to the necessity of complying with the prayer of these petitions, not merely by the arguments of those who spoke in favour of his hon. friend's Motion, but also by the arguments of those who spoke against it. He could not concur with his noble friend, the Member for Northamptonshire, that it was any reason for not granting this committee to the prayers of the people of England, that the vote of the House of Commons in favour of such a proposition might be construed into a vote of censure against the Cabinet. He did not think that there was any reason in the other notion of his noble friend, that if such a committee were granted, it would end in being a delusion on the public. If there were any truth in that argument, then all the functions of that House must in future be considered as a mere delusion upon the public. As to the distress of the country, it appeared to be at length admitted in some degree by the Ministers, but still it was admitted in so slight a degree as to render the admission an aggravation to those who were suffering under its overwhelming severity. With respect to the letters which had been read, with a view of diminishing its extent, he had observed that no Member who represented a populous place had been able to get up and to declare it to be the opinion of his constituents that they were not in a state of suffering. As far as the topics derived from those letters went, they had received a decisive answer from the hon. Member for Newark. Was it in the House of Commons that these private communications could be considered as a satisfactory contradiction to the statements embodied in petitions sent up to them by vast masses of the people? Was it likely that the people would see with patience their statements subverted by letters, which at best contained but the opinions of individuals? At an early period of the debate, his hon. and gallant friend, the Member for Windsor, had, in his very excellent and eloquent speech, admitted that there was great suffering in the country, arising from the great depreciation of prices; "but," said his hon. and gallant friend, in continuation of his argument, "is it possible for this country, whilst it carries on intercourse with foreign nations, to maintain the high prices which it procured during the war?" Now he should answer that question by another, and that other would be simply this—"Why is it not possible?" The impossibility was a point which the other side took at once for granted, whereas his opinion was that the very reverse of the conclusion at which they arrived respecting the impossibility of maintaining high prices was the correct conclusion. It was with this country a question of high and of low prices. If high prices could be maintained, the country would be relieved; and it therefore ought to be clearly shown that high prices could not be had, and if had, could not be maintained, before a negative was given to the Motion for the appointment of this committee. He was as much surprised as the gallant Member for Liverpool at the avowal of his hon. friend the Member for Suffolk. That hon. Member had in the year 1822, brought forward a motion exactly similar to the Motion which he was now opposing. He had then said that the curses of the people ought to fall on the head of every man who refused to consider the remedies for their distresses. If that were true in 1822, it was still more true in the present year,—if the curses of the people ought to have fallen heavily at that time on the heads of those who were then callous to their sufferings, they ought to fall on such persons still more heavily now; for the distress which prevailed now was far more general than the distress which prevailed then. In 1822 there was only agricultural distress. At that time the agriculturists fancied that their distress could be relieved though the distress of the other classes of the community remained unmitigated. Since that time agriculturists, manufacturers, merchants, ship-owners, in short, all classes had found out that they were all embarked in one bottom, and that they must sink or swim together. It was therefore worth inquiring whether there was any thing in the argument, whether it was or was not possible to return to and maintain high prices; for if that inquiry should lead to a result opposite to that which had been so readily taken for granted by his hon. and gallant friend, the Member for Windsor, then, without any other proceeding, the distress of the country might be relieved. In the year 1822 his hon. friend, the Member for Suffolk, had obtained relief for the class whose interests he represented; but how? by an issue of 1*l.* notes.—It might therefore be worth inquiring how far a similar expedient might produce a similar result at the present moment. The right hon. Secretary for the Home Department had made a very long, but not a very conclusive, speech upon this subject. He by no means answered the constitutional speech of the hon. Member, as he had almost called him, for Birmingham, but "by that all hail, hereafter." The right hon. Secretary had dealt in a multifarious mass of details, and enveloping himself in their obscurity escaped from the great constitutional points with which the hon. Member for Callington had so hardly beset him. The hon. Member for Callington had proved, beyond all contradiction, that if the House should, by its vote of that night, determine to abandon this inquiry, it would be guilty of an abandonment of its most important functions—it would sink to the level of an assembly formed for no other purpose than to register the edicts of the Ministry—it would become powerful for that purpose only, but would be impotent to relieve or remedy the distresses of the people. However satisfactory the reasons for coming to such a vote might appear in that House, they would be deemed most unsatisfactory out of it, and he therefore trusted that hon. Gentlemen would pause before they came to such a degrading resolution. The right hon. Secretary, in the course of his speech, had advocated a variety of mistaken principles and fallacious doctrines. He had said that he had a chart before him. It was certain that the right hon. Gentleman had a sea of distress before him. Whether he had a chart of it he could not say, but sure he was that the right hon. Gentleman was without a meridian line to direct his course. He was like a ship in a stormy ocean without rudder and without compass, driving about with every wind, and yet endeavouring with every shattered remnant of sail to keep out in that sea of trouble into which he ought never to have launched. That was in itself an alarming state of things, and rendered still more so by the conduct of another Minister in another place. When he heard that Minister stating, and showing by his statement, such a total unacquaintance with a subject of such vital importance to the country, that our currency and circulation were as great now as they ever were, at the same time that he supposed them not to amount to more than 28,000,000*l.*—when he heard that Minister moving for documents to prove that with a circulation of 28,000,000*l.* there was now a larger circulation than that which we had when we forced so large an issue of paper that not a single piece of gold could circulate with it,—when he heard absurdities so palpable on their very enunciation gravely submitted to, and admitted as correct, by the other branch of the Legislature, he thought that it became the House—indeed, that it was high time for the House—to step between the country and a Minister who entertained such erroneous and such mischievous notions. The right hon. Secretary for the Home Department said, that he had read a number of able writers on this subject, who, if a committee were granted, must all be examined before it. Gentlemen might perhaps read too much; and he recollected that old Hobbes, when asked, after spending an evening with several learned men, what he thought of them? replied, "If I had read as much as they have I should be as great a fool as any of them." If Mr. Tooke, for instance, were selected as a guide, he maintained that money prices did not depend upon money, and he had collected a vast number of facts from which it was not only impossible to arrive at any conclusion, but to establish any principle. He would recommend to hon. Gentlemen to read one short essay of David Hume on the subject, and they would obtain clearer ideas respecting it than if they had the meridian line of the right hon. Gentleman to direct their course, and to guide them through the difficulties of the Question. The right hon.Gentleman said, that money had nothing to do with this Question; that there was distress in 1810 and in 1816, whereas the measure which was referred to as the cause of the present distress took place in 1819. But it was an error to deduce general conclusions from particular facts. He had conversed that morning with two intelligent persons from Birmingham, Messrs. Hadley and Spooner, both practically connected with these periods, upon this very point; and they remarked that the cause of the distress in 1810 was, that the Bank had pushed its issues too far, and suddenly contracted them, and to save itself ruined the bankers. Again, in 1816, before the birth of the adopted child of the right hon. Gentleman, its coming existence was foreseen and foretasted by the country; in 1815 it was known that there would be a return to cash payments. The right hon. Gentleman (Mr. Peel) had spoken of the nation as of a patient subjected to a system of doctoring; and, speaking of the proposed committee, that he was more afraid of the doctor than of the disease; but *mutato nomine*, the remark applied to the right hon. Gentleman himself—he was the doctor who had crammed down the throat of the country that empirical remedy, his fatal bill of 1819, and who had only one nostrum for all diseases, and that was, gold. Subsequently to that measure, there was a motion for a committee, by the hon. Member for Suffolk, which was obtained, and a partial relief was procured for the existing distress by the issue of 1*l.* notes. This was after the experiment had been only a short time tried. So that this was no new or theoretical complaint—there was experience as well as reason against the bill; but after the system had been altered and altered, it was now said, "we will never alter again." After the first, second, third, and he believed a fourth change, this experiment, this *experimentum crucis*, might be applied to the country. It was therefore a fallacy in the right hon Gentleman's argument, that the system had been going on for eleven years. He denied that it had been settled for eleven months. In spite of this metallic currency—this god of idolatry—this golden idol, which the nation was ready to worship, as besotted as the Israelites who set up their calf in Horeb, the public prosperity was below the standard of 1812, 1813, and 1814. Even during the profligate expenditure of the war, and profligate as were the ministers of that day, and confiding as was the House of Commons then, the country was in a more flourishing state than now. The measure of 1797 was one which, in the then state of things, had saved the country. Every thing settled itself to that state; and the industry and enterprise of the country were so great, that they produced more than sufficed for the expenditure of the war; and at the end of it, to the utter astonishment of those who had opposed the war, the country, so far from deteriorating, never was in a state of greater prosperity, fictitious prosperity as it was called, than in the last year of that protracted war. He was no friend to taxation—on the contrary, he thought needless taxation only extortion; but it was a mere farce to pretend that taxation was the cause of the evils now endured. At that time the taxation had reached a greater height than at present, and though he did not mean to say that it did not press with weight upon the strength of every individual, so as to retard the advance of the country to prosperity, it was idle to say, comparing taxation then with taxation now, that this was the sole cause of our disability. According to the right hon. Gentleman, a continuance of peace was the calamity—*nunc patimur longæ pacis mala;* but let the House go into a committee, and he would find men well versed in the affairs of business and trade to tell a very different story. He would produce two witnesses from Birmingham who, notwithstanding all that the right hon. Gentleman had said about gigs and railways, would contradict him on the flourishing state of that town, and would fully confirm all that had been advanced by a noble Duke in another place. The right hon. Gentleman might say, "returning were as tedious as to go o'er;" but he evinced a non-acquaintance with the great concerns and interests of the country, and what would promote them, and he was convinced that if a committee of inquiry were to look into all the parts of the flattering picture which the right hon. Gentleman had drawn, it would be found false and hollow. He did not mean to say that the country might not still go on; it might go on till it reached destruction; he would say as Lord Chatham said, in the American war, looking at a list of generals, "I do not know whether it will affect the enemy, but it makes me tremble." It was said that we ought to be grateful to Ministers for the relief they had afforded; but gratitude was not a word to be used towards Ministers, especially when they had done no more than their duty, and which they were well rewarded for doing. He for one could not consent to compliment away the national prosperity lest the vote should imply a censure on Ministers. This was a question in which the public interests were at issue: when the *salus populi* authorised the Commons to interfere for the *suprema lex*, it involved the prosperity of all classes in the country, who were suffering from distress, all except placemen, pensioners, and public annuitants. If the House meant to stifle inquiry, they would be sacrificing the landed interest, the shipping interest, and the commercial interest, to the public creditor, to placemen and pensioners. He (Sir F. Burdett) was for sacrificing much, and thought that ample justice should be done to all; but the House should not be so fooled by words as to submit to be called cheats and robbers merely because they would have debts paid in the money in which they were contracted. He (Sir F. Burdett) had the highest authority, that of Lord Eldon, whose opinion on matters of equity and law he apprehended was indisputable, that there was no dishonesty in paying debts in the same money in which they were contracted. It appeared from a little pamphlet signed "Merchantman," that the debt contracted since 1793 amounted to 765,537,000*l.* for which we had received only 509,456,000*l.*, or 66*l.* per cent, and, if the depreciation of the currency, estimated at sixteen per cent, were taken into account, we had not received more than 57*l.* per cent, for which we were now called upon to pay 100*l.* They did not want reasonings, then; here were facts. We had received only 57*l.* and he did not comprehend the justice of the right hon. Secretary compelling us by his bill to pay 100*l.* The right hon. Gentleman asked whether, after so long a period of war, we could expect to keep up our high prices? He clearly, therefore, by implication, supposed high prices necessary to the prosperity of the country. As to what the right hon. Gentleman had said respecting the improvement which had taken place in one corner or another of the country, he could assure him there was no such improvement. He then said, that the distress had been caused, not by transition, but by the different state of war and peace. War was often adduced as a reason for what it had nothing whatever to do with. It was a deceptive argument to say that war did this, and prevented that. Let the right hon. Gentleman show how these monstrous results could have been produced by war. The right hon. Gentleman had expressed great sympathy for the poorer classes, great sympathy for the manufacturing classes, and for all but the landed interest, which (and to this he begged the attention of the House) the right hon. Gentleman said should remain in its present depressed condition. [*Here Mr. Peel expressed his dissent.*] He (Sir F. Burdett) had understood so. The right hon. Gentleman had stated, that we were not to have high prices, that we must have low prices; and what was that but to say that the landed interest must remain depressed. When so many persons were ready to come forward and state that the landed interest was of no importance at all, he should be inclined to make a fight of it upon that point: he was happy to believe that no interest could flourish unless the landed interest flourished, and he trusted that the landed interest would lay this point to heart. This was the time for landed gentlemen to put to themselves the question asked by the Poet—

"Shall we, like exiles, still be doomed to mourn,
And ne'er, with length of rolling years, return?
Shall we, compell'd by fate's unjust decree,
No more our homes and pleasant vallies see?
Or shall we mount again our rural throne,
And rule the rural kingdom once our own?"

He would call upon the landed interest not to give up their superiority. Gentlemen of landed property were the natural defenders of the people of England; and it was because such a class existed here, and in no other country, that we had been able to maintain our high character in war and in peace, and to resist with success the combined efforts of the civilized world. If the landed interest were to be sacrificed, he should be glad to hear how the right hon. Gentleman proposed to maintain the manufacturing interest? How was the shipping interest to be preserved, and how were our merchants to be continued in their "pride of place?" Though last not least, he would ask, what would then become the condition of the labouring people? In the adherence to this pernicious system, he saw nothing but the reduction of Great Britain to a low grade in the scale of nations—incapable of looking in the face her enemies abroad, and of maintaining freedom and prosperity at home. This condition of degradation might yet be avoided by the abandonment of that experiment which had already produced such monstrous mischiefs. Among other points the right hon. Gentleman had urged, that it had not been shown that high prices were preserved in time of peace; and for a very good reason—but for the right hon. Gentleman's bill of 1819, high prices during peace might have been maintained. Aye, said the right hon. Gentleman, but then you would not have had gold. True, but of what benefit was gold? It was at this moment the greatest evil of the nation. Ministers, like Midas, had turned everything they touched to gold, and the consequence was starvation. Great Britain had nothing useful because she would have everything gold. Who was the Midas he would not say, for *aures asininas Midas non habet.* Next the right hon. Gentleman had inquired whether, for the sake of a paper currency, it was wished that every barber who could put up a board should start as a banker? Certainly not, any more than it was fit that every coppersmith should become a coiner. Neither paper nor gold should be debased, and there was no necessary connection between the use and abuse of anything. But it was said, if our high prices are kept up we can have no foreign trade. He (Sir F. Burdett) contended, that foreign trade had nothing to do with the question. Commerce, truly considered, was an exchange between different nations of equivalents; but how little was this considered when, instead of obtaining good wine from France at a cheap rate, we took bad wine from Portugal at a dear rate? To adopt free trade in the true sense of the words, would be to render unnecessary all the complicated and expensive machinery for the prevention of smuggling; trade with civilized France, from facility of communication, would be of more value to England, than with all the rest of Europe. High prices might thus be maintained in peace as well as in war, and to restore high prices would be to relieve the country from all its difficulties. It was stated by some that Ministers had excellent dispositions to afford relief—that they had taken off the Leather Tax, the Cider Tax, and, lastly, the tax upon Beer, the effect of which would be, that in about seven months' time porter would be reduced one penny per pot. But what relief would this afford to the tradesman, to the manufacturer, and to the gentlemen of England? What sort of mockery was this. It would not impose even upon the most ignorant out of doors, and yet it was proposed as an adequate remedy for the distresses of the whole community. No hon. Member had yet remarked that there were two distinct causes of distress in this country: the distress alone kept in view by those who had spoken was that of the labouring classes, who suffered the uttermost distress, nakedness and hunger, and shame it was to any nation that did not prevent it—and shame to any government that refused to inquire. This species of distress might exist when all other classes were prosperous; it might arise from over-population, to answer that by saying that there were many lands still out of cultivation was nothing to the purpose. The question was, whether labour received its adequate reward; and whenever it did not obtain a remunerating price, the nation was over-populous. The distress was very severely felt by the landowners and all connected with them. The produce of an acre, which formerly sold for 9*l*., would now only fetch 6*l*. The consequences of their distress reached the manufacturer, who could not avoid being distressed when the landed interest were in difficulties. The merchant suffered from the distress of the manufacturer; and, in fact, the distress of the country was felt in all classes of its inhabitants. Under these circumstances he thought inquiry ought to be granted; and he did not anticipate, as some hon. Members did, that that inquiry would produce a monstrous mass of evidence, that would, by its bulk and the variety of subjects with which it was connected, prevent them from coming to any definite conclusion upon it. He implored the House of Commons to believe that it was not out of their power, as it unquestionably belonged to their functions, to institute an inquiry, that he assured them was not beyond their reach; and not to consent to throw the last portion of misery into the cup of the people, and thus drive them into despair by refusing the Motion which was now made for an inquiry into the causes of their misery.

Mr. *Peel* said, he wished to notice a most extravagant misconception of the hon. Baronet opposite. The hon. Baronet had charged him with having said, that it was a part of his policy to depress the landed interest. Every one who had heard him, except the hon. Baronet, must know that he had said nothing of the kind. His statement was, that during the war a great portion of inferior land had been brought into cultivation in this country, and that now, by the application of steam to navigation, and by the circumstance of the good land of Ireland and Scotland being better cultivated, the produce of the inferior land of this country was likely to be injured in the market. He had stated this as a fact; and he had added, that whatever might be the benefit to the country, he could not but view the consequences with the utmost pain, so far as they affected those individuals who would suffer from them. The hon. Baronet had entirely mistaken him in supposing that he had stated it as part of his settled policy to depress the landed interest.

Sir *F. Burdett* did not mean to impute any wish of that kind to the right hon. Gentleman, and had only stated that the depression of the landed interest was the necessary consequence of the policy he had determined to pursue. He could assure the right hon. Gentleman that he acquitted him of any such intention, for no doubt there were few men who wished more heartily than the right hon. Gentleman for the prosperity of the landed interest; but there was as little doubt that the policy he had adopted, and that which he declared he intended to pursue, must have the tendency he had ascribed to it.

Mr. *Peel* contemplated no such consequences, and did not believe they would be found to follow from the present policy of the Government.

Sir *T. Gooch*, in explanation, said, that the hon. Baronet had misrepresented him; he had never said that the petitions of the people ought not to be referred to a committee.

Mr. *F. Lewis* said, that he did not much wonder at the opinions of Members who had not been in that House during discussions on the Currency Question, and who now seemed to imagine that a return to a depreciated currency would be a panacea for the evils of the country; but he did much wonder at hearing such opinions fall from the hon. Baronet opposite. He repeated, he could not but feel the utmost surprise at the unqualified praise bestowed by the hon. Baronet on the Bank Restriction Act, and the more so when he recollected that the hon. Baronet sat in that House during the times of that mock prosperity which he alone had eulogized. The hon. Baronet had referred to the well-known Essay of Hume, but that would not support him in his views in favour of a depreciated currency. In that Essay, Hume stated that the prosperity of the country was connected with prices constantly increasing; but he had not said with a constantly depreciated currency. He had said the contrary indeed; for if the spirit of the Essay was attended to, it would be seen that he never intended to allude to any currency as advantageous to a country if it went on diminishing in value as it increased in amount. Of what avail was it to increase the amount of the currency by continually multiplying the issue of notes, which, exactly as they were multiplied in number, cut off a part of the value from those which had preceded them? The wealth of a country consisted in the abundance of its commodities; increase of commodities required, he knew, an increased amount of currency, but it must be a currency of the same standard and value; and its increase must be created with, and solely in consequence of, the increase of the commodities it represented. The hon. Baronet had been mistaken in asserting that Mr. Tooke had said that prices did not depend on money —meaning on the quantity of money. Mr. Tooke had not said any such thing, but had only referred to the difference between the Mint and the market price of gold, as one of the elements of prices in the country. He must confess that he was much surprised at the praise bestowed by the hon. Baronet on that most odious measure into which this country had been driven in her misfortunes to have recourse to—he meant the Bank Restriction Act. The hon. Baronet had proposed to have recourse again to a Paper Currency, seeming to consider that that would remedy the evils under which the landed interest were now suffering. He, like the hon. Baronet, was a friend to the landed interest; but not even for their sake would he have recourse to a measure that would be productive of great injury to every other class in the country. He need not, however, go so far as to make that declaration, for he was satisfied that the return to a depreciated currency would not in the least benefit the agricultural interest. He begged to remind the hon. Baronet that a depreciated currency could not produce a new demand, or a new rate of profits; it could only for a time transfer them into different hands. He regretted as much as any man, the depression of the landed interest, but he could not consent that they should be upheld, even if that would be the effect of such a measure, by resorting to the depreciation of the currency, which created nothing, and threw the burthen exclusively upon others. The Bank Restriction system had failed by its own weakness already, and as inevitably would it fail again when they least expected, if they should be again so infatuated as to trust to it. In speaking of past depression, those hon. Members who had spoken on the other side entirely passed over the convulsion of distress which had been produced throughout the country by the sudden contraction of the currency in 1816. The hon. Baronet had affirmed that they might have what prices they pleased, and so certainly they might, if they agreed to allow a half-penny to pass for a guinea. They might have nominal prices, but the real value would necessarily continue the same. Although a landlord's rent were by these means quintupled, he would soon find himself, under the new state of things, worse than he had ever been before. The supporters of both the propositions before the House appeared to him under the influence of some vague dream or delusion, which led them to contemplate the possibility of a fluctuating standard, which the House he was sure would never countenance for a moment.

Mr. *Stanley* said, that as a representative of a great manufacturing and commercial town, which suffered much, he regretted to say, in common with the rest of the same class in other parts of the kingdom, he could not give a silent vote on a Motion having for its avowed object the relief of that distress, the existence of which no person denied. Although the latest accounts had mentioned indications of a revival in trade, he much feared that a large portion of the manufacturing and agricultural interests still remained in absolute poverty and destitution. The Motion for a Committee of the whole House, however, did not seem in his opinion to promise either remedy or relief. They were not told how it was proposed that they should carry on their deliberations, whether by documentary evidence, by examination of witnesses at the Bar, or debate amongst themselves. The causes of the distress, and the remedy to be applied, were mere matter of speculation, and the time which they might consume in such an inquiry as that recommended he conceived would be worse than useless, as it would create considerable expense to the country and lead to no effectual result. Where, he asked, were they expected to stop? They were enjoined to treat in full of the Corn-laws, the Poor-laws, Currency Question, and principles of Free Trade. Then, of course, it was to be looked for as a natural consequence, that the hon. Member for Staffordshire should introduce the Truck System; that the hon. Member for Armagh should direct their attention to the Bogs of Ireland; that the hon. Member for Newcastle should draw down the whole subject of Emigration; and lastly, that the hon. Member for Newark should enter upon Irish Absenteeism. The proposal for a Select Committee he considered infinitely more objectionable even than the other. Their proceedings would be private, unknown to the public or to the House, and their number must be so limited that they could not fairly represent the opinions of the country, or of Parliament. But the third proposition which was suggested by the hon. and learned Member for Plympton he esteemed the most hopeless of any. That would have them to appoint a Select Committee that should be precluded from treating of the Currency, the very cause to which many Members attributed this distress. He hoped that Government would go still further in the reduction of taxation, which they had so laudably commenced, and he should be ready to support a Motion for the introduction of a fair property-tax, let it emanate from what quarter it might.

Mr. *Western* began, by assuring the House that it was not his intention, at that late hour, to trespass on their attention for many minutes, and would therefore claim an indulgent hearing for the little he had to say. Whatever might be the result of an inquiry, it was their bounden duty to enter on it, if for no other purpose but to manifest their sympathy for the distressed condition of the people, and he entertained no doubt but their refusal would occasion throughout the country very general dissatisfaction and disappointment. The evils complained of were not of one day's standing; they had been in existence, and had progressively increased for fourteen years. So great had been the distress, and so powerful its effects, that it had altered the moral character of the people in such a manner as to cause the most serious alarm. If it only to ascertain the cause of that change, and the possibility of finding a remedy for it, the House ought to go into a committee of inquiry. There was an increased activity in commerce—increased exports and imports—increased production—increased energy throughout the country; and yet there were difficulties and distresses such as could not be contemplated without commiseration. He wanted to know, what then was the cause of this distress? He heard none assigned which appeared to him probable. It was not taxation; that might augment the distress, but was not its cause. It was clear that taxation was not the cause, because it had begun as taxation was reduced, and it continued more severe than ever, though taxation had been diminished. He never was an advocate for the expenses of the war, but he denied that the country came exhausted out of the contest. We had burthens to bear; but we had by our increased commerce acquired strength to bear them. It was then to the change in the currency that we were to attribute our distress; while that was untouched we could bear greater burthens than at present without repining. The effects therefore of the measures of 1819, and 1822, and 1826 ought to be closely examined, and for that purpose a committee ought to be appointed. A depression in prices, fully equal to fifty per cent, had taken place in all commodities, which had been caused by the change in our currency, and which had extended its influence to every country with which we had commercial relations. If any Gentleman contemplated in 1819 the subsequent fall of prices, he had contemplated that which no member of the Bullion Committee had any idea of. In the discussions in 1811 on that question, the right hon. Member for Liverpool had stated, that prices would never fall so low as we had unfortunately experienced them. In 1819 several members who supported government expressed their surprise that any person should be so absurd as to suppose that prices, even if they fell a little, would not speedily again rise, and remain at their former level. The price of corn, it was admitted, might be low for a short time, but it was strenuously contended that it would soon rise to 70*s.* or 80*s.* the quarter. Some of these predictions had been verified, and the Gentlemen who proposed and carried the law of 1819 are now proved to have been completely ignorant of what would be its results. Since the war, prices, instead of being steady, have been continually in a state of fluctuation, and they have on the whole fallen a great deal more than ever was expected. He was anxious to press on the attention of the House the impossibility of going on with a gold standard. A time would come when a demand might be made on the Bank for 20,000,000*l.* which it would be unable to produce, and ruin would ensue. He would not say more, than that the subject was one of the highest importance which could lie under investigation.

Colonel *Wilson* said, that they had been now debating this subject four nights, and were not now much wiser with respect to it than at the commencement of the discussion; and he was sure that if they sat there for a month of Sundays they would be still in the same situation. If the hon. Mover had confined his Motion to the distress of the country he would go to the committee; but there were other matters included in the proposed inquiry which were not necessary. The distress of the country was unprecedented; but Ministers had done much in the way of reduction of taxation, much more than he had expected, or than he should have believed had any body told him of it when he was last on his legs in that House. Imputations had been cast on him by noble Lords and others, that he was sneaking after Ministers, and looking for the loaves and fishes; but he wanted no office or place. He had served his country without emolument; he entered into its service at fifteen years old, as a private soldier—perhaps they did not know that. He had carried "brown bess" on his shoulder for years; but there was only this difference between him and other private soldiers,—that he had the honour of paying himself, of feeding himself, and of paying for his "brown bess" too. If he were Prime Minister, he would propose a measure of relief: he would throw the whole of the assessed taxes overboard, and have a properly modified property-tax, which should be so laid on as to press on the absentees, and in that way he would afford effectual relief to the country. As to the causes of the distress, he would inform the House, that previously to the ruin of the country bankers in 1826, every farmer had a credit with his banker, so that if he could not sell his stock and his produce, he was neither forced into the market when things were cheap, nor forced to borrow at exorbitant interest, in order to pay his landlord. Now the farmer could get no assistance, and he was either obliged to sell his property at half-price, or neglect to pay his landlord, and so lose farm and all. That change had reduced hundreds of respectable farmers to break stones upon the roads. Never was the country so prosperous as when wheat was selling for 14*s.* a bushel. The farmers and their wives were then dressed in the best manufactured cloth in the country, and they lived luxuriously. Now they were in tatters, and feeding on butter milk and potatoes. That was a state of things that called for relief, and he hoped Ministers would do away with their own vile measures regulating the currency, before all the agriculturists were entirely ruined.

Mr. *D. W. Harvey* said, that at that late hour it was not his intention to press upon the patience of the House, which he knew was nearly exhausted. He did not therefore intend to go into the subjects introduced into the discussion at any length. He rose rather for the purpose of correcting an error, an unintentional one, no doubt, into which the hon. Member for Essex had fallen. That hon. Member stated that the people of Essex wished for inquiry; now the fact was, that at the meeting the other day in Essex inquiry was not called for; the great majority of the people in the country did not wish for inquiry. They knew well enough the cause of the distress they suffered, and they plainly enough pointed out the means of relief. If he were not afraid of trespassing too long on the attention of the House, he would venture to reply to some of the extraordinary arguments raised by the hon. Baronet, the Member for Westminster; but though he would not follow and refute them, as he easily might do, there was one so extravagant that he could not pass it over without notice. Some hon. Members on the last evening of that debate had said, that it would be useless to adjourn it, for that they could not expect to hear any novel thought on the subject. The speech of the hon. Baronet, however, had to-night shown them that they were much mistaken; for, to his great surprise, and to the surprise of most others who heard him, the hon. Baronet, the bold—the eloquent—the erudite advocate of the people,—he who had distinguished himself in their cause by the bitter sarcasms with which he contended against an attack on their rights,—who was the popular representative of a large and populous city,—who so eagerly desired that the distress of the country should be relieved—had that night told them, that reduction of taxation was a thing not to be cared for, but that the whole relief of the country was to be found in high prices. Why, of all the propositions that had ever proceeded from a fertile mind, this was, in his opinion, the one that had the least approximation to intelligence. Yet, at the same time that the hon. Baronet declared this, he also declared himself the friend of the shipping and the manufacturing interests. But in what way, he would beg to ask, could those interests meet the foreign competition against which they had to struggle, except by low prices? He could follow and refute some of the hon. Baronet's other positions, but he wished to keep his promise to the House, and not press farther on its patience.

Mr. *Trant* rose amidst loud cries of "Question;" but he said, if he were not heard he would move the adjournment of the debate. He stood pledged, at a meeting of yesterday, to some of the most respectable gentlemen in London,—members of the committee for the Relief of the Manufacturing Poor,—that he would state to the House that which they communicated to him, viz., that, from the information they received by means of their communications with all parts of the country, they were convinced that the distress was overwhelming. These gentlemen ought to have an opportunity of being heard in a committee, in reply to the statements of the right hon. Gentleman (Mr. Herries) who spoke so much of the prosperity of the country.

Mr. *Monck* was one of those who looked to a reduction of the taxes on productive industry, and a concurrent diminution of the public expenditure, as the sole sources of national relief. He agreed with the right hon. Member for Liverpool, that if it were meant that we should have a foreign trade, we must have low prices for our manufactures, in order to compete with the foreigner in his own market, and from low prices low wages generally followed. The measure then, for the House to adopt was, so to place the labourer that his low wages may enable him to command the necessaries of life; and that only could be effected by giving him cheap bread,—that is, by admitting corn of fertile and untaxed countries into this.

Mr. *Rickford* considered, that the distress of the country fell chiefly on the agricultural classes, and that to them, therefore, relief should be chiefly applied.

Mr. *Benett* was surprised, that when the right hon. Member for Liverpool was quoting instances of the general wealth and prosperity of the country, he did not look to the very obvious proofs to be derived from the consumption of butchers' meat. If the right hon. Gentleman had looked to the consumption of the town of Birmingham alone, he would have found that that consumption had diminished one-third within the last year. He would support the Motion for a Select Committee, as he thought the numerous petitions presented to the House rendered some inquiry imperative.

Mr. Alderman *Thompson* would vote for inquiry, and in doing so would appeal to any hon. Member acquainted with the city of London whether the trade of that city was ever so much depressed as at present? He was free to admit, that some improvement had taken place within the last fortnight; but it was only that something like a cost price could be obtained for some articles, while a month ago no sale could be effected at any price at all. With reference to the observations of the hon. Member for Bramber a few evenings ago, he begged leave to say, that the hon. Member was in error in asserting that an improvement had taken place in the iron trade. The contrary was the fact, and had been so for the last four or five years, during which immense sums—even millions—had been expended in that trade, without obtaining any profit, and even in some instances suffering an actual loss. It was a fallacy to suppose that because manufacturers went on manufacturing, that therefore they were reaping profitable returns to their outlay. Those acquainted with the facts of the case knew that they did so to save their machinery, and because they could not think of throwing the thousands of workmen whom they had in a manner called into existence, out of employment. He was sure that the projected joint-stock banking system would turn out a failure, because it was not confidence in country bankers that was wanting on the part of the public, but confidence in the public, the borrowers, on the part of the lender, the banker. He thought, however, that a revision of our currency system was wanting, for that the paper currency of the country was not equal to its exigencies, and that the 26,000,000*l.* of gold which the Bank of England said they had in circulation would be found he believed to cost the country 40,000,000*l.* While he made these statements he begged leave to say, that he, as a member of the manufacturing committee, must protest against the statement just made to the House by the hon. Member for Dover.

Mr. *Warburton*, was confident that Ministers could not adopt a more mischievous measure just now, than a revision of the currency system, as its inevitable effects would be, to create such a run on banks as would destroy all those whose cash deposits were not equal to their issues.

Mr. *Irving* [*amid loud cries of "Question,"*] in explanation of what had just been alluded to by the hon. Member for the City of London, begged to say that his references to the iron trade were to it as it existed in Sheffield and Birmingham.

Sir *T. Acland*, as a Member of the manufacturing committee, must protest against the statement made in reference to that committee by the hon. Member for Dover. One fact would show, contrary to the declaration of the hon. Member, that the distress had diminished instead of increased within the last few weeks,—namely, that whereas heretofore it was found necessary for the committee to meet once a week, now, owing to a diminution of the distress, they met but once a fortnight.

Mr. *Davenport* rose to reply. The question, he said, after all the discussion, turned on the single fact, that numerous petitions from all classes, and all parties, and all places in the country, had been presented to the House for relief, and that if inquiry were refused, the only inference that the public could draw was, that it was useless to again petition a Parliament that was deaf to their prayer. [The hon. Member proceeded at some length to address the House, but the confusion which prevailed, and the repeated calls of "Question! Question!" rendered what he said for a long time inaudible. At length silence was partially restored, and the hon. Member was heard to declare his intention of withdrawing the original Motion in favour of the Amendment.]

The *Speaker* informed the hon. Gentleman, that if the original Motion was withdrawn, there would remain no question before the House, as an amendment upon a motion which was withdrawn could not be put.

Mr. *Peel* suggested, that they should divide upon the Amendment, with the understanding that that division was to decide the whole question. The original Motion was accordingly negatived without a division.

On the Amendment the House divided, when the numbers appeared—for the Amendment 87; Against it 255: majority against the Amendment 168.

HOUSE OF LORDS.

Wednesday, March 24.

MINUTES.] Lord Viscount DONERAILE took the Oaths and his Seat as a representative Peer of Ireland, in the room of the late Marquis of Headfort.

The Earl of SHAFTESBURY laid on the Table the Second Report of the Commissioners for inquiring into the Common Law Courts.—Ordered to be printed.

Petitions presented;—By Lord HOLLAND, from certain retail brewers of Bury, in Lancashire, complaining of the injurious operation of law affecting their trade, and praying for relief. The noble Lord presented a similar Petition from retail brewers of Manchester and Salford:—By the Earl of KINNOUL, from the merchants and other inhabitants, and from the Lord PROVOST, Magistrates and Town Council of the City of Perth, praying that the trade with India and China might be thrown open—Referred to the Committee on East India Affairs:—By the Earl of STRADBROKE, from Mendlesham, Suffolk, complaining of Distress, and praying for the repeal of the Malt and Beer Duties.

HOUSE OF LORDS.

Thursday, March 25.

MINUTES.] The Illusory Appointments Bill was brought up from the Commons, and read a first time. The annual Finance accounts, the annual account of the Droits of Admiralty, and other casual Revenues, and the sixteenth report of the Commissioners for the repair of Roads and Bridges in Scotland, were laid on the Table.

The following Returns were ordered to be laid on the Table, on the Motion of Lord ELLENBOROUGH—List of Hong Merchants, stating the particular privileges and powers with which they are invested in respect to the Canton trade:—Also, Statement of the Company's Establishment of Supercargoes, &c. at Canton, specifying the rank of each, their respective salaries, and all other charges of the establishment at Canton; likewise the commission paid to each on the European or Chinese sales of goods, or both, from the year 1809-10 to 1828-29 inclusive:—Also, Account showing the amount of all supplies received from the several Presidencies and Settlements in India, at the Factory at Canton, distinguishing the Presidencies, and specifying the particular supplies under each head, and for each year, from the year 1809-10 to 1828-29 inclusive:—Also, Account showing the amount of all supplies received from the island of St. Helena, at the Factory at Canton, specifying the particular supplies under each head, and for each year, from the year 1809-10 to 1828-29 inclusive:—Also, Account showing the amount of all supplies from England to the factory at Canton in each year, from the year 1809-10 to 1828-29 inclusive:—Also, Account showing the amount of the cargoes (and of what consisting) consigned from the Factory at Canton to England; likewise the amount of all payments for which England is debited, in each year, from the year 1809-10 to 1828-29 inclusive:—Also, Account shewing the amount of all Bills of Exchange drawn upon the Court of Directors, by the Supercargoes of Canton, in each year, from the year 1809-10 to 1828-29 inclusive, in tales, converted into sterling money, at the rate of 6*s.* 8*d.* per tale, contrasted with the amount of the payment of the said Bills, actually made in sterling money:—Also, Account of Goods exported by the Court of Directors from England to Canton, in the year 1809-10 to 1828-29 inclusive, specifying the quantities of each, their invoice value, and a statement of the gain or loss on the sales of the Company's Exports in each year:—Also, Account of the Losses sustained by the East India Company in the China trade, in each year, from the year 1809-10 to 1828-29 inclusive, by perils of the sea, capture, damage or waste of goods, short deliveries, or other causes:—Also, Account of all Sums paid for freight, demurrage, or ships employed by the East India Company in the China trade, in each year, from the year 1809-10 to 1828-29 inclusive:—Also, Account of the charges incurred by the East India Company on the Shipping at Canton, including the measurement of ships, &c. in each year, from 1809-10 to 1828-29 inclusive:—Also, Account of Losses sustained by the East India Company, from perils of the sea, damage of ships or cargoes, from bad debts, &c. in each year, from 1809-10 to 1828-29 inclusive:—Also, Account of the actual cost of all the Company's Buildings in China, up to the latest date:—Also, a Statement of the Sums annually expended in repairs, rent, taxes, or otherwise, from the year 1809-10 to 1828-29 inclusive:—Also, Account of Long Ells, Broad Cloth, and Camblets, demanded from and exported to China in each year, from 1811 to 1829, both inclusive:—Also, Account of Lead and Tin demanded from and exported to China, from 1811 to 1829, both inclusive:—Also, Account of sundry articles of British manufacture and produce, which have been exported to China upon experiment, not having been demanded by indent, in each year, from 1811 to 1829, both inclusive:—Also, Account of all Goods imported from China into Great Britain, from the year 1811 to the year 1828, both inclusive, specifying the quantity and declared value of the principal articles imported, and distinguishing the East India Company's trade from the Privilege trade:—And also, Account of all Goods exported to China from Great Britain, from the year 1811 to the year 1828, both inclusive, specifying the quantity and declared value of the principal articles exported, and distinguishing the trade of the East India Company from the Privilege trade:—Also, Extract from a Revenue letter from the Bengal Government to the Court of Directors, dated 29th of June, 1826, respecting the permission granted to Europeans to hold lands on lease, for the cultivation of Coffee:—Also, Minute of Mr. Trower, Member of the Board of Revenue at Calcutta, dated 25th of March, 1825:—Also, Resolution of the Government of Bengal, passed 7th of May, 1824:—Also, Extract of a Revenue letter from the Court of Directors to the Government of Bengal, dated 10th of September, 1828, in reply to a letter from Bengal of 29th of June, 1826:—Also, Extract of a Letter from the Court of Directors to the Government of Bengal, dated 8th of July, 1829, directing that Government to adhere to the terms of their resolution of 7th of May, 1824.

Petitions presented. Praying for the Repeal of the Laws imposing Disabilities on the Jews, on account of their religion, by Lord GODERICH, from Moses Solomons, Navy-agent, Portsmouth:—By Lord KING, from Trivett Allcock, residing in Norwich. Complaining of the alterations in the Navigation Laws, by the Earl of ELDON, from the Ship-owners of South Shields:—Complaining of Distress, by the Earl of WINCHILSEA, from the inhabitants of Romney Marsh. Praying for the Abolition of Slavery, by Earl GOWER, from Lane End and Henley, Staffordshire. Against the Tithe System in Ireland, by Lord KING, from Sutton, in the County of Wexford.

WELSH JUDICATURE.] The Earl of *Eldon* presented a Petition from the Gentry, Clergy, and Freeholders of the county of Pembroke, against any alteration in the system of Welsh Judicature;—also a similar Petition from the Mayor, Burgesses, and Inhabitants of the town of Haverfordwest. The noble and learned Lord said, he wished to take that opportunity of expressing his regret that he had been unable to attend in his place when the noble and learned Lord on the woolsack introduced the subject of the proposed changes in the law to their Lordships' notice; which was not from undervaluing the importance of the subject, or from any want of respect to the noble and learned Lord, but literally because he was unable. He would, therefore, without going into the subject to which their attention had been called, take that opportunity to state, that he would give his most serious consideration to the measures about to be introduced, and if he should be found opposing any part of them, it would not be from any spirit of contention, but from conscientious grounds of objection. Had he been in his place on Monday, he should most readily have corroborated what fell from the noble and learned Lord as to the unfounded assertions respecting the expense of the commissioners of inquiry into the Court of Chancery. The gentlemen who acted in that commission never received one farthing for their trouble. They not only gave their services gratuitously to the public, but their attention to the business of that commission was given at the sacrifice of considerable professional emolument. With respect to the inquiry proposed into the state of the Ecclesiastical-law, he admitted that the necessity of it was made out by a recent case, to which he would not then more particularly allude. As to the revision of the Criminal-law, his professional habits for a very long period of his life were such as to render him not the most competent judge on that subject, but he very willingly gave credit to those who had undertaken the task for a disposition and ability to improve the law and its administration. On the subject of the proposed change in the Welsh Judicature, he must say that there were parts of the judicial administration in that country with which he should be very unwilling to part;—for instance, he should not like to take from it the Equity Courts, which he considered to be a great advantage to that country. However, he would give the subject, when it came before him, his fullest consideration, nor would he assent to any change of part of that law without being most fully satisfied that the change would be an advantage to the country. He saw, in some publications, mention made of frauds in conveyancing: there might have been some, but as an old lawyer he would say to those who wished to alter the system, that they might make themselves easy on that ground,—generally there were no such things. He would again repeat, that he would give his best attention to the whole subject, and would support the proposed alterations, as far as he should think they were likely to benefit the public. With respect to allusions which had elsewhere been made to himself [as we understood the noble Lord, who spoke in a very low tone,] the practice of his professional life had been to adopt the lesson which he had heard from Burke—where he found he had been properly blamed he endeavoured to correct his conduct; but where he had been improperly blamed, he pursued his course steadily, without reference to the opinions of others.

Earl *Cawdor* said, that he was sorry to differ from the petitioners, but he thought that the assimilation of the practice of the law in England and Wales would be a great benefit to the latter country. He was sorry to have to differ on this point from the noble and learned Lord who had just sat down; but so far from thinking that the Equity Courts to which the noble and learned Lord alluded were a benefit to Wales, he thought them an encumbrance and a hindrance to justice.

IMPROVEMENT OF ROADS.] The Marquis of *Salisbury* rose to move for several Returns connected with the expenses of the Commissioners of the London and Holyhead, and London and Edinburgh Roads, to the production of which, he said, he understood there was no objection. The reason why he made the Motion was, that a committee had been, as he understood, appointed in another place to inquire into the state of those roads; and he wished that their Lordships should be in possession of all the information necessary to understand the subject, particularly the amount of the expense incurred by the commissioners. The noble Marquis then moved for the following Returns. An account of all sums of Money granted by Parliament for the improvement of the Road from London to Holyhead since the institution of the Commission for that purpose; an account of each Contract for works done on the different trusts; an account of the Debt incurred on the tolls of each trust; an account of the Tolls payable on each trust; an account of all Salaries paid under the direction of the Commissioners; and an account of all money paid for Surveys relating to the Roads between London and Edinburgh, and London and Portpatrick under the authority of Government.

Viscount *Goderich* wished to know, if his noble friend included in his Motion the whole of the receipts of the Commissioners, for if he did not, the account would be incomplete and incorrect; the whole expenses of the roads not being met by sums from the public purse:—a considerable part of the expenditure was made good by tolls which they were authorised to levy.

The Marquis of *Salisbury* stated, that he wished to have an account of the whole expenditure for which the public supplied the funds, as well as that which came from other sources. What he most disliked was, a species of local taxation by Parliamentary Commissioners, which he considered to be very improper.

Viscount *Goderich* doubted if the Commissioners levied any money except that which they were authorised to do by Act of Parliament. In order to support the expense, an increased toll was levied at some places, and there was an additional postage on letters conveyed from London to Dublin. From these sources the money at first advanced by the commissioners had since been replaced.

The Returns were then ordered.

East Retford.] The Marquis of *Salisbury* moved, that a message be sent to the Commons, requesting a copy of the Minutes of Evidence taken before it on the East Retford Bill.

Lord *Wharncliffe* said, he did not rise to oppose the Motion, but merely to give notice, that if their Lordships should think the evidence sufficiently strong to warrant the second reading of the Bill, it was his intention to move an amendment in the committee—that the franchise be transferred, not to Bassetlaw, but to one of the great towns at present unrepresented—to Leeds, or Birmingham, or some other great town.

Distress.] Lord *Wharncliffe* presented a Petition, signed by 3,500 persons residing in Huddersfield and its vicinity. They complained of great distress, and prayed for some relief. A part of their distress they attributed to the decline in the demand for Fancy Stuffs, which was so great as almost to destroy that trade; but the great cause of the difficulties they and other classes suffered, they attributed to the pressure of taxation, greatly aggravated by certain measures that had been adopted by Government, more particularly that of the change from a paper to a metallic currency. This change the petitioners thought should have been accompanied by a reduction of part of the national debt, or by some measure which would bring the property of the fundholder as much under the effects of taxation as the other property of the country. Upon these points he differed from the petitioners. He did not see what measure could be introduced which would have the effect of making the property of the fundholder liable in the way proposed. Nor did he admit the justice of any reduction of the national debt in any way by which faith would be broken with the public creditor. In that part of the prayer of the petitioners which sought for a large reduction of taxation he fully concurred, and he hoped to hear of still greater reductions than those which had been already announced by Government. He had great confidence in the disposition of Ministers to go as far as they could in reducing the burthens of the country.

Petition laid on the Table.

Corn Averages.] The Earl of *Malmesbury* rose to move for certain returns respecting the averages taken of the price of Corn. Those returns he considered of great importance in ascertaining how far the present mode of taking the averages was correct. Their Lordships would recollect, that when the Corn-laws were in progress through the House, it was said that a great boon was given to the English farmer by including Irish wheat in the averages; but he had reason to believe that a very small portion of the wheat from that country was actually so included. The first return for which he should move was an account of the quantity of Corn imported into Liverpool from Ireland, and the quantity imported coastwise, from July, 1828, to January, 1830. The second Return would include an account of the weekly averages sent from Liverpool and Manchester to the Inspector of Corn-returns in the same period. By the correspondence between these, it would be seen how far the wheat imported from Ireland was brought into the general averages. In wishing that such Returns should be laid before the House, it was not his intention to found any motion upon them which would re-open the discussion of the general question of the Corn-laws. He had no such wish, and to do so he was sure would not be in accordance with the inclination of their Lordships; but it did not follow, because they did not like to have the question re-opened, that they should not have an opportunity of judging how far the present mode of taking the averages was correct. The object of the Corn-laws was, to give protection to the British Corn-grower; but, in his opinion, it did not afford it to him to a sufficient extent, or to the extent contemplated by the Act. It was a great misfortune that the bill had not been divided into two, as had been suggested by himself and others. If it had, the question of the averages, which ought to have been the object of one bill, might be reconsidered without any danger of re-opening the whole question; but without intending any such course, he thought Parliament was bound to adopt such measures as would best tend to carry its original object in passing the bill into effect. There was, at this very moment, a considerable rise taking place in the Corn-market, which he had reason to believe was the result of artificial operation. Some parties seemed desirous of creating an opinion that there was not a sufficient quantity of Corn in the country, but he had no doubt that such an opinion would be found erroneous, as the stock on hand was very considerable. By artificial means Corn might be raised to such an average price as would greatly diminish the import duty on foreign corn. This was the case last December, when a rise on the general average of 2*s*. 4*d*. per quarter had the effect of diminishing the duty 11*s*., and the consequence was, that 400,000 quarters of foreign Corn were at once poured in on the market. Had this rise been the result of a really diminished stock, insufficient to meet the demand, he would not object, but it ought not to be permitted when it was not the result of the actual quantity of Corn in the country. The Corn-law was passed for the benefit of the consumer as well as the grower, and it was right, that if by the present mode of taking the returns an error was let in in calculating the averages, that error should be corrected. He thought the duty of the inspector of Corn-returns should not be confined to the mere casting up of figures, but that this officer should be satisfied of the manner in which the returns were made, and of the correctness of the data on which the weekly averages were calculated. The noble Earl concluded by moving for the Returns he had specified.

The Earl of *Limerick* supported the Motion. It was right, if the quantum of protection to be given to the British Corn-grower were to be measured by the averages, that the mode of taking those averages should be as correct as possible, and they could not be so if the returns did not include the whole of the home-grown Corn brought into the market.

Motion agreed to.

TAXATION.] Lord *Suffield* said, he had to present to the House Petitions from the owners and occupiers of land in the several hundreds in the county of Norfolk, complaining of great distress, caused by the excessive burthen of Taxation, from part of which they prayed to be relieved, more particularly from the burthen of the duty on malt. The petitioners complained that they were now in a worse situation than they were ten years ago, and they stated, that the capital of the farmer had been very materially reduced, which proved that his trade had been a losing one. In adverting to the distress of the country, it was not his intention to advocate the interest of one class more than another because he happened to belong to it. He had been an enemy to the Corn-laws from the beginning, because he felt that they failed in giving that protection to the home-grower which was intended, and at the same time they had not produced any advantage to the consumer. Bread was still too dear, though the farmer did not derive any benefit from the high price. What the farmer required was, a reduction of rent, and that had taken place to a considerable extent, and a still greater reduction must take place. The petitioners, he admitted, did not pray for any such reduction, but there was no doubt that it would be a relief to them. Indeed, too high rents could not be long continued, for in the result they would operate to the injury of the party receiving, as well as to the party paying them. The distress of the country, however, did not arise in any great degree from that source. He looked upon our present condition as a just retribution on us for not having availed ourselves of the opportunities which had been afforded us of obtaining effectual relief. That relief, in his opinion, might have been obtained, and was still to be obtained, by a proper administration of the laws respecting the Poor. By a due attention to those laws—not by the farmers, for the matter did not rest with them, but by the gentlemen and magistrates of the country—the burthens of the poor-rates might be greatly, and in some parts of the country, wholly reduced. He could prove that this had actually taken place in some places, and that was more conclusive than any reasoning he could offer to their Lordships on the subject. He would not pursue this point farther, as a more fit opportunity would present itself. The petitioners also prayed, and he fully joined them in that prayer, for a reduction of taxation, because he considered a large reduction was necessary to relieve the country. He rejoiced at what had been done in that way, but he did not think it went far enough. He should like to see a reduction of the duty on Malt, on Coals, Soap, Candles, and other necessary articles of consumption which bore very heavily on the people. At the same time he felt grateful to Government for the relief it had already afforded, and he would venture humbly to hope that still greater reductions of taxation would be made.

Petitions read, and to lie on the Table.

The Earl of *Eldon*, referring to what fell from him on a former occasion in respect to the debt of the country, said, that what he stated had been incorrectly given. He was represented to have said, in allusion to the alteration in the currency, that debts contracted in a depreciated currency ought to be paid in a depreciated currency, or at the same rate they were contracted. He was in the recollection of several noble Lords, and he could appeal to them in stating that he had said no such thing,—quite the reverse. He should consider such a proposition as extremely unjust.

Kentish Petition.] Earl *Stanhope* said, that he had been requested to present a Petition, agreed to at a public meeting held in the county of Kent, and that he acceded to that request with the more pleasure, inasmuch as he heartily concurred in the prayer of the petition. He should not have troubled their Lordships with any observations upon the respectability of this meeting, had it not been for some remarks which had been made by a noble Marquis (Camden), whom he had much pleasure in calling his friend,—he meant the noble Lord-lieutenant of the county of Kent. His noble friend had represented it as a meeting called by a political party for the purpose of exciting opposition to the present Government. Now this would be no valid objection, even if the fact were so; but it was perfectly clear that such a party could not have prevailed upon the county to express such opinions if the state of things represented in the petition to exist in the county did not really exist. If the petitioners thought the distress to be partial, or if they thought it arose from causes not under the control of Parliament, they could not have been prevailed upon by a political party, either to sign the requisition for the meeting, or to concur in the sentiments contained in the petition. The persons who signed the requisition were of all parties and of all opinions in politics, and they came forward only from being convinced that there was a necessity to demand an immediate inquiry into the condition of the country. For his own part he had openly stated his opinions of what was requisite for the welfare of the country, and asking for nothing, wanting nothing, wishing for nothing, that Ministers could give, he should support any government that acted on principles which he thought beneficial to the country; and he should oppose any government which acted on contrary principles. So much, then, for the meeting in the county of Kent having been got up for the sake of distressing the Government. His noble friend, too, had impugned the accuracy of the statement of the petitioners, when they said that the grievous and general distress of the country demanded the immediate attention of that honourable House. His noble friend had said, that the distress was not so general, and that it was not so grievous in the county of Kent as the petitioners represented it to be; and in proof of this, his noble friend had said that farms were still generally in cultivation. His noble friend ought to have stated, at the same time, that the farms were cultivated at very considerable loss. He did not know whether it was the duty of a Lord-lieutenant to give to the Government a very flattering account of the county over which he presided; but he was sure that, in the present instance, it would be a very difficult matter; because it could not be done without concealing some facts and distorting others. He could tell his noble friend that he had been informed by one of his (the Marquis Camden's) own tenants, that he had lost 200*l.* by his farm last year, and consequently, though farmers did not throw up their farms, it did not follow that they were not losing. His noble friend had said that his rents were well paid. He congratulated his noble friend upon this: but the fact would prove nothing, unless his noble friend could show that those rents were not paid out of the tenants' capital. A noble lord (Suffield) had suggested that evening that reduction of rents would do good: but how did the distress of the landlords arise, except from the reduction or the utter withholding of rents? He could have no objection to any noble Lord reducing his rents as low as he pleased, but, in the name of other noble Lords, and in the name of the rest of the landlords of the country, he must protest against measures which were not only objectionable in other respects, but which must inevitably lead to that result as a matter of necessity. There were some parts of the country in which no reduction of rents could take place; for this simple reason—namely, that there were no rents at all paid. The parts of the country to which he alluded were those in which the poor-rates amounted to the full 20*s.* in the pound. The petitioners stated that the amount of taxation was greater than the country, under existing circumstances, could bear. Upon this statement he begged to observe, that taxation had been virtually doubled since 1819; that was to say, it was necessary to sell double the produce now to pay the same amount of taxation. The petitioners went on to state, that the poor-rates had increased to so great an amount as to leave no profit either to the landlord or to the tenant. Now, upon this subject he could state, that he knew of landed property upon which the assessment for poor-rates had doubled within the last fourteen years. He knew one farm, consisting of 1,341 acres, which paid 994*l.* per annum for poor-rates. He knew another instance in which the poor-rates amounted to 2,900*l.* a year, while the estimated rental of the estate was only 2,500*l.* He was acquainted also with a farm which let only for 50*l.* a year, while the rates and taxes levied upon the same farm amounted to 112*l.* a year. He could produce many other similar instances, but he should reserve them until the debate which was about to come on respecting free trade. The petitioners went on to complain of the evils which had arisen from want of sufficient protection to agriculture, and from those measures of free trade which were incompatible with the present situation of the country,—evils which had been greatly aggravated by the alteration of the currency. The petition concluded by a prayer, so common in similar petitions at present, for a reform in Parliament, conducted on proper principles. He perfectly concurred in the prayer of the petition for Parliamentary Reform thus limited. He had always expressed his disapprobation of what was called radical reform, and he still disapproved of it; but to limited and wholesome reform he was friendly, because he conceived, and recent experience had confirmed the opinion, that the House of Commons did not express the feelings of the people. Under such circumstances of distress as were general in all counties, and which were intolerable in some, he was not surprised that the people should call for reform in Parliament; but, in an ancient and dilapidated edifice like the Constitution of this country, they must be careful lest, in making alterations, they destroy the edifice itself. This cry for reform might not be very agreeable to the Government; but he was sure that if the object of Government had been to excite the people to raise this cry, it could not have taken any more effectual means than those which it had pursued. He would not detain their Lordships any longer, because he trusted he should have other opportunities of discussing all these topics fully.

Petition read.

The Marquis *Camden* said, that as his noble friend had thought proper to make a great many observations upon what he had felt it his duty to say in that House, he would tell their Lordships what he had meant to say on the occasion referred to. He had meant to say, that as far as his experience and means of observation would allow him to form an opinion on the subject, the distress complained of was not so great or so general as it had been represented to be by some persons in that and in the other House of Parliament. As to the County of Kent, he had said that the distress was not so great as it had been represented to be. He spoke from his own experience, and their Lordships would do him the justice to recollect that what he had said was founded upon a comparison which he had made between this and former years, the result of which comparison was, that the county was not so distressed as it had been in former years. When, too, he had spoken of a political party, he knew that political opinions on certain subjects ran high in Kent, and he knew that political opinions upon one point were often apt to influence men's conduct on others. It had been so with him, and he had no hesitation in confessing it. He had no hesitation in saying, that—it was a great many years ago, certainly—he had, with the father of his noble friend (Earl Stanhope), attended public meetings for the purpose of exciting popular feeling against a government of which he disapproved. He had meant to say nothing offensive in what had fallen from him on this subject, and he trusted that, however his noble friend and he might differ in politics, their friendship would be undisturbed. As to what his noble friend had said about the duties of a Lord-lieutenant, he appealed to the noble Duke (of Wellington) behind him, if he had been officious in communicating information to the Government.

The Duke of *Wellington*.—Certainly not.

The Marquis *Camden* continued.—He had spoken as an independent Peer; and in that capacity he had thought it right to express the opinions he entertained. Again, if the county of Kent were as much distressed as it was said to be, or even more so, that could not prove that the country generally was distressed. Besides, it should be recollected that there was a peculiar culture in Kent—that of hops. The low price of that produce, and the duty upon it, might have made it very difficult for the growers to remunerate themselves. His noble friend had alluded to a tenant of his (Marquis Camden's) who had lost 200*l.* by his farm. He did not know who that tenant was, but he thought it not unlikely that a tenant who wished his rent to be reduced, or the day of payment deferred, would hit upon such an argument.

Earl *Stanhope*, in explanation, said, he trusted his noble friend did not think he had meant to say that his noble friend's conduct had proceeded from any but the most conscientious motives. As to distressing the Government, he thought it the proper course to excite noise, and he pleaded guilty to the desire to excite noise, both in that House and out of it, when he found himself beaten by numbers, and not by arguments.

The Earl of *Winchilsea* said, he felt some reluctance to intrude upon their Lordships after the result of the debate of the other night. He had not the vanity to suppose that any thing he could say would be of any avail, when he had seen how useless had been the powerful and eloquent appeals which noble Lords had made for their distressed fellow-countrymen, who called upon their Lordships to discharge that duty which the country had a right to demand. He should, however, feel that he was wanting in respect to the petitioners if he were silent now. In the few observations he had to make he should confine himself chiefly to some of the views which the petitioners took of the causes of their distress, and to the ultimate result of those causes. He would not occupy the time of their Lordships in proving the existence of that unparalleled distress, of which the country complained; nor would he afflict their Lordships by detailing the heart-rending cases of misery which had come under his own observation. He would, however, briefly but boldly assert, against the opinion of the noble Marquis, whom he was proud to call his friend, that the distress which now pervaded the agricultural interest had not been exceeded in the memory of the oldest man living. He wished that noble Lords who expressed an opinion that the distress of the country was not so great as some persons imagined, had taken the trouble to inquire how rents were paid; if they had, they would find that in many instances the rents came out of the capital of the tenant, instead of coming out of the fair profits of the cultivation of the land, and that in other cases rents came out of the capital of the landlords themselves. Such was the case where pasture lands were broken up, and converted into arable lands. The noble Earl proceeded to allude to and deplore the diminution of the yeomanry of this country, who had formed the intermediate and connecting link between the landholder and the peasantry,—a class that, in the hour of trial and danger, whether arising from foreign or domestic foes, had proved our best safeguard and defence. With respect to himself, his opposition to the measures of Government was any thing rather than a factious opposition. He opposed them upon principle, because he was convinced they were injurious to the country. He had no longer any confidence in parties with whom he had been previously allied,—for him, the ties of private and political friendship had been cruelly severed. He wished that the noble Duke, who now possessed an estate in Kent, would spend some of his time there during the Easter recess, and inquire into the condition of the county; he would find the district of Romney Marsh, up the Weald of Kent, formerly celebrated for rich pasture lands, in a state of great distress. Capital was fast diminishing there, and the farms were not properly cultivated, on account of the poverty of the holders. He knew instances in which farms had been let for the next three years free from all charge in the shape of rent, on the condition that they should be properly cultivated. In many districts, the greater part of the labouring population was wholly unemployed, except during the few weeks of harvest. Let the noble Duke terminate his journey in Kent by a visit to the noble Marquis who had just addressed the House on the subject, and to the noble Earl below who had preceded him, and he would find, that the tenantry were in many cases remaining on their farms because they could not quit them without leaving their property behind, and selling it at a loss of 40, 50, or 60 per cent. He was informed by a county magistrate, such was the distress in the town of Chatham and the neighbouring district, that the magistrates were frequently employed from morning till night in devising measures for the assistance of the poor. The petitioners stated, that the contraction of the currency was one cause of their distress. He agreed with them in this. Before we ventured to contract our currency, we should have diminished the national debt. If we did not give the country a more extensive circulation, it would be impossible for us to struggle much longer with our difficulties. He was decidedly of opinion that the establishment of provincial banks, with liberty to issue notes (proper security being given), would be advantageous to the county in which he resided. Another cause of embarrassment to which the petitioners alluded was, the system of taking off prohibitory duties, and allowing articles of foreign produce to compete with the produce of native industry. If the unequal pressure of taxation under which English agriculturists suffered, as compared with those of foreign countries, could be removed, he should be an advocate for a free trade in corn, and a free admission of foreign produce; but as matters stood at present, he maintained that free trade had been attended with very mischievous effects upon the interests of this country, inasmuch as it had been the means of introducing the competition of foreign labour, at a time when our own population could not obtain sufficient employment. The petitioners stated, that if things continued as they were, they must ultimately become unable to pay the taxes and their debts; that bankruptcy would be their portion, and ruin that of the State. He very much feared that matters would become worse and worse in the course of a few months, if some remedy were not resorted to. There was another point to which the petitioners alluded,—Parliamentary Reform. He would not enter into that subject further than to say, that in his opinion the people did not possess the weight and influence to which they were justly entitled in the Commons House of Parliament, and that an unconstitutional influence was frequently exercised in the return of its Members. But he was no radical reformer, and when the proper time came, would discuss the question on constitutional grounds.

The Marquis *Camden* said, in explanation, that he had spoken of the state of things in his own neighbourhood, and represented it as improving.

The Earl of *Darnley* observed, that some apology might be expected from him for not taking a part in the getting up of the petition, particularly as he was connected with the county from which it had emanated, and was known to be favourable to these expressions of public opinion. But he had not interfered because he was convinced that the distress complained of could not be relieved in consequence of any proposition of the meeting, and that the suggestions of the noble Lord (supposing him to be favourable to them) were likely enough to be counteracted. In 1822, when according to his opinion the distress was greater than at present, a county meeting was held in Kent, at which Mr. Cobbett attended and proposed an equitable adjustment. On that occasion, acting, as he thought, the part of an honest man, he had opposed the proposition, but he stood almost alone in his opposition, and it was carried by acclamation. At another county meeting in Kent, the noble Earl proposed a loyal Address, when up started an auctioneer, from Rochester, knocked down the proposition, floored the noble Earl, and his second, and bottle-holder (a noble Lord not now in his place), and upset the entire proceeding. [*Laughter*] Would the noble Earl say, that on this recent occasion the majority of the meeting were not in favour of an invasion of Church property? Let it be recollected that a resolution against tithes was eventually carried. The grounds of his reluctance to attend the meeting were now explained. He could truly state that the distress was not so general as had been represented; and he was of opinion, that having already reached the lowest point of depression, our condition would improve. The Petition adverted to the Currency and the Corn-laws: he believed and trusted that the noble Duke at the head of the Government was determined to tamper with neither. An interference with them could only be productive of mischief. Ministers had done what they could to alleviate distress by a reduction of taxation, which, it was admitted on all hands, must be serviceable to the country. Besides, Government had pledged itself to take the earliest opportunity of effecting still further reductions. If any man could point out better or speedier means of relief than had been brought forward, he would go hand and heart with him; but nothing more efficacious had been discovered. It should be the object of their Lordships rather to endeavour to hold out to the people consolation and hopes of better times, than to draw exaggerated pictures of distress, and say, bad as things were they would become worse. The noble Earl having observed that the meeting at which the petition was agreed on was a highly respectable one, concluded by stating that he felt as anxious as the noble Lords who preceded him to relieve the distress, but could not countenance the adoption of doubtful and hazardous remedies.

Earl *Stanhope* said, with respect to the idea of the majority of the meeting being favourable to the counter-petition, he thought the majority was for the original proposition, but admitted that if so it was by no means a large majority. However, it was all matter of opinion, and the High Sheriff had decided differently. The noble Earl (Darnley) had alluded to former meetings at which he (Earl Stanhope) was not present, and stated that a proposition for an equitable adjustment was carried at one of them. He was not a friend to what was called equitable adjustment, beccause he thought it could not be effected in an equitable manner. However, to that we must come at last, or adopt an issue of paper money. He did not wish to allow bankers to make such issues without requiring from them proper security, and would rather have country bankers the distributors than the creators of paper money. He should not object, for instance, to an issue of Government paper. Noble Lords talked of the benefits of reduction of taxation; was the noble Duke prepared to reduce our expenditure and taxation to the scale of 1791? Was he prepared to reduce the debt fifty or sixty per cent and all fixed payments in the same proportion? If not, he must consent to the issue of paper money to enable the country to bear the burthen of taxation, which had been virtually doubled within the last ten years.

Lord *Suffield* expressed his partial concurrence in the statements of the noble Earl behind him, who had drawn with such strong colouring a picture of the distress experienced in Kent. Many of the noble Earl's remarks would apply to the county (Norfolk) with which he was himself connected. He regretted as much as the noble Earl the diminution that had taken place in the class of yeomanry: persons of from 500*l.* to 1,500*l.* a year had felt the pressure in a very extensive degree. However, he did not think the distress attributable to any act of the noble Duke, or the Government: on the contrary, he was of opinion that it was the result of long-continued circumstances over which they did not possess any control. He should oppose the Ministers whenever he considered their measures to merit opposition; but he did not think them wrong or deserving of censure at present.

Petition to lie upon the Table.

FREE-TRADE — IMPORTS AND EXPORTS.] Earl *Stanhope* said, he understood it was not the intention of his Majesty's Ministers to offer any opposition to the production of the Returns which he wished to obtain, the motion for which he had given notice of on a former day. This being the case, he should not enter into the subject which the Returns involved upon the present occasion, reserving to himself the right, at a future opportunity, when the accounts were before the House, to make his observations on the question of Free Trade. The noble Earl moved for accounts of the declared value of Foreign Manufactured Silk imported into Great Britain in 1826, and the three subsequent years; of the English Manufactured Silks exported in 1823, and each subsequent year; of the value of articles of Leather imported in each year subsequent to 1823; of the quantity of Gloves imported within the same time; of our Exports and Imports generally to and from France in 1823 and every subsequent year; also for an account of the expenses incurred in the maintenance of the Preventive Service, from its establishment up to the latest period at which they could be made out.

The Duke of *Wellington* said, he had no objection to the Returns being furnished, and should himself move for the production of further returns, explanatory of the subject, upon a future day.

HOUSE OF COMMONS.

Thursday, March 25.

MINUTES.] Mr. A. ELLIS moved an humble Address to his Majesty, requesting that the House might be furnished with a "copy of a Circular Letter addressed by Mr. PEEL to different Public Offices, in favour of the Society for superseding the use of Climbing Boys in the sweeping of chimnies; a list of Public Offices to which the same was addressed, and the number of Flues in each that have been swept by Boys or cleaned by the Machine, since the date of the Circular: shewing also in which of such buildings, the Agents of the Society for superseding Climbing Boys, or Sweeps that keep Boys are employed." Agreed to.

A message came from the Lords, requesting a copy of the Report of the Committee of Inquiry on the case of Sir JONAH BARRINGTON; and a copy of the evidence on which the House passed the Bill for Disfranchising the Borough of East Retford.

The Lease of Lands Bill (Ireland) was read a second time. The Indemnity Bill was read a third time and passed. A Bill to regulate the Importation of Arms into Ireland was brought in by Lord F. L. GOWER, and read a first time; as were a Bill to amend and consolidate the laws respecting Tolls, (Ireland), and a Bill to extend the powers of Grand Juries (Ireland) in the execution of the Act of 58 Geo. 3rd, relative to Fever Hospitals.

Returns Presented. Annual Accounts of Public Expenditure, Consolidated Fund, Public Funded Debt, Unfunded Debt, Dispositions of Grants, Arrears and Balances:—Also Accounts of Amounts paid in each of the last four years for Half-pay, and Retired Allowances; ordered, 8th February and 22nd March:—Also Accounts of the quantity of Spirits that paid Duty in each Kingdom, from 10th October, 1823, to 5th January, 1830, and amount of Spirits Distilled, and of Spirits exported to and from each Kingdom, and amount of Duty:—Also Account of Monies received in respect of Droits, and from surplus of four and-a-half per cent:—Account of Malt charged with Duty, and Malt made; the amount of Duties-paid in each collection of Excise in the year ended 5th January, 1830:—Also account of Amount paid as Drawback on Malt under the Acts 1 and 2 Geo. 4. c. 82, 4 Geo. 4. c. 94, and 6 Geo. 4 c.58; ordered 18th February:—Also Accounts of the number of acres of Land under cultivation of Hops, and of the Hop Duty for 1829; ordered 8th February:—Also Accounts of the number of barrels of Beer, exported in the year ended 5th January, 1830; the quantity made; of the number of Barrels exported in each year from 5th January, 1825, to 5th January, 1830; number of Barrels brewed in the year ended 5th January, 1830; and number of Brewers in Great Britain; ordered 8th February:—Also accounts of the quantity of Soap made in each town of Great Britain in 1827, 1828 and 1829, the quantity exported in 1828 and 1829, the duty repaid as Drawback allowances made to manufacturers of Silks, &c.; distinguishing the hard from the soft Soap and quantity exported to Ireland during the years 1827, 1828, and 1829; ordered 26th February:—Also Account of the contract prices of Bread and Meat from 1819 to the present time, so far as relates to the Commissariat Department; ordered 2nd March:—Returns of the establishment of the Commissariat on the 1st January, 1817, 1822, and 1830, and of all the Appointments and Promotions since 1828; ordered 12th March:—Also Accounts of the principal articles charged with Duties of Excise in each year from 1819 to 1829, inclusive, and the rate of Duty on each article; ordered 18th March:—The number of Passengers to and from Ireland by the Liverpool Government Packets; ordered 17th March:—Also, returns of unsettled demands on the funds provided by the Government of France for liquidating the claims of British subjects, and of the unappropriated balance of the Funds; ordered 18th February:—And the Annual Accounts of Trade and Navigation,

Petitions presented. Against the Renewal of the East India Company's Charter—By Mr. MARSHALL, from three different places in the Clothing district of Yorkshire:—By Mr. S. WORTLEY, from Wortley:—By Sir M. W. RIDLEY, from the Merchants and Inhabitants of Newcastle-upon-Tyne. By Mr. H. DAVIS, from the Licensed Victuallers of Bristol, against throwing open the Beer Trade—Referred to the Committee on the Beer Licensing System. By Sir J. WROTTESLEY from the Inhabitants of Stoke-upon-Trent, complaining of Distress:—By Sir W. W. WYNN, from Denbighshire, with the same prayer. By Mr. WARBURTON, from Bridport, for a reform in the Criminal Law:—By Mr. Alderman WAITHMAN from the Protestant Dissenters meeting in Worship-street Chapel, Finsbury-square, with the same prayer. By Mr. W. SMITH, from TRIVETT ALCOCK, of Norwich, in favour of the Jews:—And by Lord JOHN RUSSELL, from the Letter-press Printers of Sheffield, praying for a reduction in the Newspaper Stamp Duty. The petitioners stated as their opinion, that if this Duty were reduced from 4*d.* to 2*d.*, and the Duty on Advertisements reduced from 5*s.* 6*d.* to 2*s.* the revenue would be increased.

MISREPRESENTATION.] Colonel *Sibthorp*, in presenting a Petition in favour of the Selby and Liverpool Railway Bill, from the inhabitants of Lincoln, said, he availed himself of that opportunity to rectify an error which had gone abroad with respect to what he had uttered in the late debate on the motion of the hon. Member for Shaftesbury. That morning a letter had been put into his hands, purporting to come from a respectable inhabitant of London, and written under the misconception which this inaccuracy in his speech had naturally originated. He was represented to have stated that Mr. Jacob or Mr. Poole would have been roughly handled in the event of their trusting themselves in Lincoln. But such an innuendo he had never intended to convey. What he did really say was, that he regretted the noble Duke should not have had recourse to better means of obtaining information, before he depended upon such authorities for the price of Corn as Mr. Jacob, or for the price of Wool and Meat as Mr. Giblett. In noticing this mis-statement, he could not forbear to add, that he had no reason to complain of the newspaper press generally. He should now postpone his notice of a motion for the accommodation of reporters, until Thursday, the 13th of May.

DISTRESS.] Sir *T. E. Winnington* presented a Petition from the freeholders of Worcestershire, complaining of Distress, and praying for an alteration in the Currency, and also for Parliamentary

Reform, with such other measures as the House might think best calculated to afford them relief.

Mr. *G. Robinson* supported the prayer of the Petition. He believed as the petitioners expressed themselves, that the distress was not as stated in the King's Speech, partial, but general He was not disposed however, to agree with the petitioners in their prayer for an alteration of the Standard, though he was of opinion that the return to the use of metallic money had caused much of our distress. The petitioners desired that the standard might be restored to what it was in 1797, but on this subject he thought the arguments of the right hon. Gentleman unanswerable. Various changes were indeed talked of, but he would give no opinion on any one of them till he saw some substantive measure brought under the consideration of the House. That would be the best method for those Gentlemen who had plans to propose to adopt, and then every one might be able to form a judgment of the probable results of their schemes. As to Parliamentary Reform, he would say that he desired to see the franchise extended to those large towns which have of late grown up, and he would recommend those opposed to reform rather to yield to gradual measures than be at length compelled to adopt a more extensive reform. He would recommend those who wished for reform to adopt the same plan, as the surest and safest way of accomplishing their object.

Colonel *Davies* dissented from the statements of the petitioners, and expressed his regret that they had overlooked the true cause of the distress,—namely, the pressure of inordinate taxation. They had contented themselves, however, with expatiating on the worn-out topic of the currency, without ever adverting to an additional repeal of taxes, which all parties acknowledged to be an unexceptionable mode of administering relief. He would venture to assert, that not one person in a hundred of those who had signed the petition understood the questions on which he gave an opinion. There was no county less subject to political excitement than Worcester, and he was sure that nothing but intolerable distress could have induced the people to petition. It was impossible, under such circumstances to say to what lengths people might go, and therefore he regretted that they engaged in matters which they did not understand.

Sir *F. Burdett* differed widely from his hon. friend who had just addressed the House; and if his hon. friend would read the petition, he would find that the petitioners knew a great deal of the subject on which they petitioned. He must, in contradiction to his hon. friend bear his testimony to the importance of the petition, the subject matter of which he considered well worthy of being made the ground of a regular motion to be submitted to the House. The distress which prevailed amongst so large a portion of our hard-working population, in his opinion, was not to be adequately accounted for by any cause but that which had been assigned in the petition. Every practical person in trade or commerce with whom he had had an opportunity of conversing on the subject, took the same view of it; and he was ready to make it apparent, that any reasoning to the contrary was untenable, and might be easily refuted. As to what he had advanced in reference to Mr. Hume's Essay, he still maintained the truth of all that was asserted, but it must not be supposed that he adopted indiscriminately all the opinions put forth in that excellent piece of writing. He merely contended that the hon. Gentleman might there collect a principle, which would lead him through the mazes of confusion in which he was entangled. He, however, was not one of those who were swayed by the greatness of a name, nor had he ever given his adhesion to any doctrine without examining and judging for himself, however speciously or authoritatively it might be urged upon his attention. *Nullius addictus jurare in verba magistri.* He thought Hume wrong for example, in saying that an increase of currency was a proof of increasing prosperity. The industrious classes must be affected by every change of currency, and all who lived by prices must necessarily suffer when prices declined. They might therefore benefit by a rise of prices, but when that was caused by an increase of taxation it was an injury, not a benefit to the industrious classes. Would any man pretend to tell him that there was no loss where 9*l.* an acre was reduced to 4*l.*, while the owner had precisely the same burthens as when he enjoyed the former profits? To reduce the taxes was wise on the part of Ministers, but the people could not look to any relaxation of taxes as an efficient remedy for their distress. That could only be found in restoring the currency to its former value.

Mr. *Warburton* was of a different opinion from the hon. Baronet, on the ground that every creditor in the kingdom would suffer by the adoption of the policy which the hon. Baronet and the petitioners recommended. It should always be recollected, that by altering the currency, not only the obligations of the State were changed, but also the private contracts of all the debtors and creditors in the kingdom. To adopt the measures recommended by the hon. Baronet would only plunder one class of people for the benefit of another.

Sir *Charles Burrell* said, the hon. Member was very feeling towards those who might be ruined by another change, but he had no compassion for those who had suffered by the changes already made. He, for one, had no doubt that the greater part of our present distress, and in particular the sufferings of the agriculturists, and all the industrious classes, had been caused by the former change in the currency. He would not then however enter into the subject, he would only observe that from, information which he had received, the proposed alteration in the Beer duty would completely disappoint those who expected that it would be attended with any benefit to the agricultural classes.

Mr. *Bright* expressed his surprise, that Members of that side of the House should consider it a great thing, forsooth, that the petitions of the people were favourably received, and to him it seemed most arrogant in Members to run down the petitions of any class of people. What reason had those who asserted, that to ascribe our distress to a change in the currency was a proof of ignorance, to give for their assertion. He was of the same opinion as the petitioners whom the hon. Member for Worcester had branded with ignorance. Nothing indeed could be clearer than the fact that prices fell when the quantity of money was lessened, and rose when that was increased. A depreciation of price and general distress among the working classes had invariably followed a contraction of the currency, from whatever cause it might have arisen. He did not mean to say, however, that a reduction of taxation would not alleviate the distress, for it was plain that a portion of the charges which weighed on the people would by that means be removed. He would not assert that it was possible wholly to get rid of distress by reducing taxation, but he would assert that to give much relief a much larger portion of the taxes must be taken off. Those who had endeavoured to obtain an inquiry into the cause of the distress, and the best means of remedying it having failed, and having been even reproved for their well-meant endeavours, could do nothing further than press on the Government the necessity of diminishing taxation as much as possible. Profits were so reduced by competition, that the capitalist could not give high wages. The whole mass of the labourers were in a sad state of poverty, and till means were found to improve their condition the country would know no returning prosperity. In former times the discovery of the mines of Louth caused a universal rise of prices; those mines were now deficient, and a universal fall of prices had followed. He thought then that our distress had two causes, one permanent and the other temporary; the permanent cause was the law altering the currency, the temporary cause was the diminished quantity of the precious metals. The latter cause affected all countries; the former made the distress of England peculiarly great, and affected, through her complicated mercantile relations, all the countries of the trading world. He attributed the distress felt in America, in France, and in Sweden, to the lessened supply of the precious metals. To meet the peculiar circumstances of England a large reduction of taxation was necessary, and some temporary means of supplying the expenses of the State. He did not mean a Property-tax, for to that he should always be opposed, but there were means well known to those conversant with the money market, which considering the great quantity of superfluous capital then in the country, might be advantageously had recourse to. Some temporary expedients to meet temporary causes, might ultimately restore the country to a sound and prosperous state.

Colonel *Davies* complained of the hon. Member having misrepresented what he had said of the petitioners.

Sir *F. Burdett* said, his hon. friend had also misunderstood what fell from him.

Sir *M. W. Ridley* protested against the doctrine of the hon. Member for Bridport (Mr. Warburton) that it would be an act of injustice to revert to the former standard, though he admitted that it might be inconvenient. We had already committed injustice, and he thought that it would not be more than an act of justice, to place those who had been affected by the change already made in the currency, in the situation they would have stood in, but for that change.

Mr. *Davenport* maintained, that the extraordinary change of price that had taken place within the last seven years was the consequence of the change in the Currency system. With respect to our prosperity, he could state on unquestionable authority that within three years the diminution of butcher's meat had amounted to one-third, as he had calculated from the sales of eighteen butchers. Since the House came to a decision not to inquire into the state of the country, he had received letters from Cheshire, Staffordshire, and Westmorland, which were worthy the attention of the House, on account of the view they gave of the state of the country. The principal produce of the latter is sheep, and the fatter ones did not now fetch the sum the lean ones were bought for last Autumn. The price of cattle was depreciated to the amount of 8*s.* a head, and what fetched 28*s.* last year, only brought 20*s.* this. The grazing land of Cheshire, which let in 1828 for 20*s.*, might now be hired for 16*s.* The increase of tolls had been mentioned as a proof of returning prosperity, but in many cases the rate of tolls had been raised, and on the Stourbridge road, near Birmingham, the tolls had fallen off. Another fact worthy of notice was, that a quantity of blocks and other cotton-printing machinery, which sold last year for 10,000*l.* was resold this year for the very trifling sum of 21*l.* He would only add, that land near Birmingham, which seven years ago was let for 24*s.* now lets for only 11*s.*

Lord *John Russel* said, the hon. Member for Westminster seemed to think that the House had not treated the question of the Currency fairly. [Sir F. Burdett said, that was not what he said] At least, the noble Lord continued, he so understood the hon. Baronet. If that were the case the fault must be attributed to the hon. Member for Shaftesbury, who made a speech which turned altogether on that topic; but concluding with a general motion on the state of the currency, he lost the votes of those who were averse from altering it. He was surprised that hon. Members who ascribed all the evils of the country to the change in the currency did not bring forward a substantive proposition respecting it, which might afford the House an opportunity of again expressing a decided opinion on it. That was the manner in which the hon. Member for Essex acted in 1822, when the House, at the recommendation of the President of the Board of Trade, came to a resolution that settled the matter for some years. If that course were now taken, no doubt the arguments respecting the currency would be fairly met. Even admitting that many persons had been ruined by the change in the currency, which he, however, did not believe, that by no means proved the necessity of another change. That depreciation to which Members desired to return was itself an act of injustice, and according to their own shewing, gave several persons 100*l.* who ought only to have 50*l.*

Mr. *Ward* rose to ask the hon. Member for Bridport (Mr. Warburton) who had been represented to have stated that the corporation of the Bank of England and of the East-India Company exercised an improper influence over the city elections, if that were so, because he wished to inform the hon. Member, if it were, that he was labouring under a mistake. He could assure him that the Bank had never exercised the least influence over the City elections, and had it done so, those who are supposed to be subject to its power would have freely expressed their opinions on the matter. While he was on his legs he wished to add, that his statement on a former evening relative to the gold currency, included the quantity issued by the Bank of England subsequent to the last returns.

Mr. *Warburton* admitted having expressed the opinions alluded to, but he meant it to apply to all such great corporations, and in that sense he had no doubt the remark was correct. He believed, however, that at the last City election the Bank had exercised no influence. Other public bodies however, interfered, and it was a notorious fact, that if the Lord Mayor be a candidate, his office ensures him 500 votes. The hon. Member's question he understood to apply particularly to the Bank, and that body he was bound to say did not exercise any influence at the late election.

Petition read. On the Question that it be printed,

Mr. *Davenport*, in answer to the noble Lord's challenge, begged to say that he would, before the close of the Session, submit a distinct motion respecting the Currency, which would afford the opportunity of discussion for which the noble Lord seemed anxious.—Petition to be printed.

Manufacture of Arms.] Mr. *Lawley* presented a Petition from the Gun-makers of Birmingham, against the intended abolition of the Arms' Proof-house of that town. This Petition, he said, from its importance well deserved the attention of the House. This persons who signed it carried on a trade that was at one time thought to be worthy of much consideration. The petitioners expressed great alarm at the prospect of the proof-house at Birmingham being no longer used for his Majesty's Ordnance; and they stated that the Government would not find it advantageous to take the manufacture of Arms into its own hands. The House, he thought, would feel surprise at hearing that it was intended to remove the manufacture of Arms from the vicinity of coal and iron mines, to a distance of 100 miles. The petitioners state, that their capability to supply Arms to any extent, was fully proved during the war, and as they thought they could supply cheaper than the Ordnance establishment at Enfield, the necessary Arms for all the purposes of war, they prayed that the House would order that establishment to be discontinued. At a period when the Government was resolved to add to the supply of Arms, it sent some confidential persons to Birmingham to urge the manufacturers to undertake the business. They did so, and some of them lost by the job about 20,000*l*. A further injury would be inflicted on them by continuing the establishment at Enfield, and whenever the grant for that was proposed, he should resist it.

Alderman *Thompson*, in support of the prayer of the petition, contended that it was necessary that Government should give some employment to the manufacturers of Arms, otherwise, in the event of a war, the means of supply might be found wanting. He was convinced that the Ordnance in undertaking the manufacture itself, acted from the best motives, but at the same time he must assert, that Government ought to trust for a supply to the private manufacturers. That they were capable of meeting its demands was proved by the fact that between 1803 and 1815 not less than 3,277,000 stand were manufactured in this country.

Mr. *Littleton* conceived that the supply of Arms should be left, like that of any other manufacture, to the competition of capitalists, and should not be a Government manufacture. For a considerable period during the late war, a musket a minute, including night and day, was manufactured in the districts from which the Petition came. Had the establishment at Enfield been broken up several years ago, the country would have saved a great deal, and he hoped, therefore, that the hon. Member would persevere, when the time came for voting the Ordnance estimates, in his intention of resisting the vote for that establishment.

Mr. *William Smith* had no doubt whatever of the good intention of Government, but he must, on principle, protest against it setting up to be a manufacturer of any article whatever.

Mr. *Hume* said, that he also was convinced that it was very bad policy for the Government to manufacture any thing. During the war there was some reason for its making Arms, but the gun-makers of Birmingham, and other places, were now so experienced, and their establishments were so large, that they might be safely relied on to furnish any quantity, and of the best quality, which might be desired. He had frequently pressed on the attention of the Government the propriety of putting down the establishment referred to, and he should be very happy to give his support to the hon. Member for Warwickshire.

Mr. *Perceval* would only remark, that when the Ordnance estimates were discussed, he should be able to shew that the Government had good reason for keeping up this establishment. He would defer stating his views till it was brought substantively before the House by the hon. Member for Warwickshire.—Petition to be printed.

Alderman Thompson presented a similar Petition from the gun-makers of London.

Alderman *Wood* supported the prayer of the Petition. He wished to take that opportunity of asking, why a manufacture of knives and forks was carried on at the Ordnance Works at Deptford or Lewisham, he did not know which, to the injury of the Sheffield and Birmingham cutlers, and the cutlers of the metropolis.

Mr. *Dugdale* said, he did not think that putting down the Ordnance establishment at Enfield would be of any benefit to the manufacturers of Arms, for the Ordnance had already a million stand of Arms in its possession. As to the knives and forks alluded to by the worthy Alderman, he could assure him that no such manufacture at Deptford, or any where else, was carried on under the control of the Ordnance.—Petition to be printed.

MANUFACTURE OF FLOUR.] Mr. *Western* presented a Petition from certain Millers in Essex, praying that they might be permitted to take foreign corn out of bond, for the purpose of exporting the flour to be manufactured out of that corn, on the payment of a duty of 4*s*. He saw no objection against acceding to the prayer of the petitioners, provided they gave a good security that the flour should be altogether exported, and only the bran and chaff retained for domestic consumption. A proposition of this kind had already been submitted to the Board of Trade, and as it would be an advantage to the English Agriculturist, as well as the Miller, he hoped it would be acceded to. The law, as it stood, encouraged the foreign Miller to the injury of the English Miller; the consequence was, as he stated last year, that in Essex several valuable mills were untenanted.

Mr. *Bramston* supported the prayer of the Petition.

Mr. *Herries* begged leave to remind the hon. Member, that the subject involving the prayer of the petition had been discussed at length in that House, and that the opposition to it did not arise from the Ministers, but from hon. Members connected with the landed interest. Ministers were on that occasion anxious to promote the object the petitioners had in view, and would now do the same thing so far as was compatible with the existing Corn-laws. Government was aware that the measure would supply employment to many unemployed mills, and it was desirous to accede to the prayer of the petition.

Mr. *Hume* thought the present a favourable time for attending to the prayer of the petitioners, and he hoped that the Government would bring forward some measure to carry it into effect.—Petition to be printed.

CANADA.] Mr. *Labouchere,* in rising to postpone, at the request of his hon. friend, the Member for Dover, his motion respecting the state of the Judicature and Legislative Councils of the Canadas, in order to allow an early hearing for the motion respecting Taxation, wished to know whether the public service would suffer if he brought forward his motion on the question of granting money. He was particularly anxious to bring it on before the sums were voted for fortifying Canada. He was unwilling to retard public business, and if that were to be the result of his bringing forward his Motion, on going into a Committee of Supply, as there was no open day until the 18th of May, he should be obliged to defer his Motion till that day.

The *Chancellor of the Exchequer* said, so many motions had been brought on at various times by hon. Gentlemen on going into Committees of Supply, that the House had now arrived almost at the Easter holidays without having got through one quarter of the Estimates of the year; but if there was any Gentleman who had any motion standing for some day which would suit the convenience of the hon. Gentleman, before the passing of the vote for Canada, and would postpone it in his favour, he would be most happy to meet the hon. Gentleman's wishes by going into the subject. With a view to meet the hon. Member's wishes, he would postpone the vote for the fortifications of Canada to as late a period as possible.

TRIAL BY JURY—NEW SOUTH WALES.] Mr. *Jephson* said, Sir, I had given notice of an Address to the Crown to extend the right of Trial by Jury to New South Wales and Van Dieman's Land: I now rise with great pleasure to withdraw this Motion, as it has been rendered unnecessary by the fair and liberal way in which I have been met by the right hon. Gentleman opposite. He has agreed that an Order of Council should forthwith issue, directing that Juries, formed of the Colonists, and with all the incidents of English Juries, should be granted to all defendants in New South Wales and Van Dieman's Land, where the conduct or character of the Government or Governor, or of the Executive Council, or any of its members, should be concerned; also in cases where any conflicting interest or party feeling existed between the civil and military classes,—instead of the present Jury of seven officers, selected by the Governor." This ought, I think, to satisfy the Colonists, and those who interest themselves on their behalf in this House; and I do assure the right hon. Gentleman that I receive this concession made so freely out of this House with much greater pleasure than if a majority of the House had forced upon him the resolution I had this night intended to move. The effect will be very different in the Colony. The enlightened portion of the Colonists must see that the Government is not one of its tyrannical masters; but that there are those now who are intrusted with the management of Colonial affairs who are willing to concede their fair desires, and to impart the full blessings of a Constitution which is the heritage of the Colonist. Before I sit down, if I might hope that any advice of mine would reach the Colonies, it would be this—that the liberal portion of the Press in that colony should abstain from that coarseness of vituperation and harshness of expression towards all who are placed in authority which I have been sorry to remark in the researches I have been obliged to make in preparing for this Motion. Such feelings are, in all states of society, to be lamented; but in a free country more particularly so, as they must retard that prosperity which a more cordial co-operation between the governor and governed could not fail in so fine a colony to produce.

INJUDICIOUS TAXATION.] Mr. *Poulett Thomson,* in bringing forward his Motion on the subject of Taxation, spoke as follows:—Sir; In rising to make the Motion of which I have given notice, I have to acknowledge the courtesy of my honourable friend in postponing his very important notice; a courtesy and kindness which I should never have thought of demanding upon personal grounds; but which the vast importance, as well as the nature of the Motion which I have the honour of bringing under the consideration of Parliament, may fairly claim; especially when, as I am happy to remark from what has passed in previous debates, the subject has already attracted so much attention. It is painful to me at any time to solicit the indulgence of the House on my own behalf, and that feeling is increased upon the present occasion, when the importance of the subject, of which I propose to treat, renders me more than usually sensible of my own incompetency to do justice to it, and when I shall be compelled by its nature to trespass upon the patience of my hearers for a more than usual length of time. The deep conviction, however, which I entertain, that no subject was ever submitted for deliberation of greater importance than this, whilst it supports me in the task which I have undertaken to perform, gives me ground to hope that I shall not ask in vain for that indulgence which this House is never backward in extending to those who claim it upon such grounds. Sir, I am aware that in introducing so large a subject, as that of a great part of the taxation of this country, to the consideration of Parliament, I may expose myself to the charge of presumption. I may be told, that I am undertaking a task which does not become a Member of this House unconnected with official station, and holding no responsible situation;—that I am trespassing upon the province of the right hon. Gentleman opposite, the Chancellor of the Exchequer, whose immediate duty it is, to regulate the financial concerns of the empire: but I trust that the nature of the Motion which I have in view will serve to acquit me of such an accusation. I do not venture to propose to the House any plan of financial reform, any positive proposition of change; I am conscious that to do so would not become my situation: all that I shall venture to do will be to endeavour to lay before the House such a statement, as I trust may induce it to think, that it becomes it to turn its attention seriously to the state of the taxation of the country, to take the matter into its own hands, and through a committee of its own, to institute such an inquiry as will lead to relief, if it appear that an alteration in the system can effect any; or, if it shall not, at least satisfy the people that no such relief can be afforded. Neither can I admit, that what has occurred during the last fortnight is any argument why I should relinquish the purpose I have in view, and leave in the hands of Government the inquiry which I propose. On the contrary, although I am fully sensible of the importance of the reductions which have lately been announced, they rather furnish me with an additional motive to persevere: for whilst I give the Government credit for the full value of the sacrifices they have made, I cannot but regret that the principles which were announced by the Chancellor of the Exchequer in proposing them, to which I entirely assent, should not have been more fully acted upon; and that, instead of contenting himself with a mere reduction of taxes, he should not have endeavoured, by a much more extended review of our whole system, to relieve this country to an infinitely greater extent without any greater sacrifice of revenue. The partial adoption, therefore, of measures similar to those which I imagine would be recommended by the committee which I propose, confirms me in the opinion of the propriety of urging its appointment, and at the same time relieves me from the possibility of being suspected of bringing forward this Motion from party or interested motives. Far from being actuated by any such feelings, my sincere wish is to support and encourage Ministers in the views which they profess to take, and to render them the assistance which I think they require, to carry them into effect; I mean the concurrence and the recommendation of a committee of this House: and I may add, that I greatly rejoice that I am able, in introducing the statement which I shall have to submit, showing the extremely injurious nature of a portion of our system of taxation, and the absurdity and unfitness for the end it proposes to have in view, of a great part of it, to be able to congratulate the Government upon having admitted the principle, and of having done something at least to remedy the evil.

It seems to me, Sir, that the object of this Motion is one which in any times can hardly fail of being a most desirable one. No man will deny, that when a revenue is to be raised at all, it should be raised in that manner which will take as little from the pockets of the people, and allow as much of that which is taken to pass into the coffers of the Exchequer, as possible; nor will any one assert, I presume, that in any country, and at any time, there can be so perfect a system of finance as to make any inquiry into the mode of collecting the national income needless. Under any circumstances then, and in any state of things, such an investigation as I propose to intrust to a committee, would be one of the most important, and one of the most useful, which any legislative body could delegate to a portion of its members. But if this be the case, how much more momentous is such an inquiry at the present time, and under the present circumstances? Let any man look impartially upon the condition of this country at the present moment, and say, if he can, that such an inquiry is not imperatively called for, that it is not unavoidably necessary. It is nothing more than an act of justice to those who pay the taxes, and of justification to those who impose them. And how stands public opinion upon the point? It is curious, indeed, to observe, that there is only one single subject upon which all parties in the country without the least exception are agreed. Whether we look to the petitions on our Table, or consult the opinions of public writers, or consider the debates in this House, we shall find a diversity of opinion upon all subjects but one. Some consider a greater reduction of expenditure necessary. Some deem further retrenchment impracticable. Some believe that relief might be afforded by a depreciation of the standard, by an issue of paper money: others condemn such a proposal as the most injurious that could be adopted. Some look to a parliamentary reform as a remedy for our distress. Some are opposed to any change of the kind. Many attribute the sufferings of the people to the system called Free Trade: the more enlightened and more reasoning part of society reject such an idea as absurd. In short, upon all these subjects a difference of opinion exists. Upon one only, whether you read the language of public opinion, conveyed to you through the Press, whether you listen to the voice of the people, expressed at county meetings, or their prayers brought up to the Table of the House, on one subject only is an opinion common to all; and that point is—that the system of taxation requires revision; that our imposts press too heavily upon the productive industry of the country. I am not one, who am prepared to yield obedience to any opinion because it happens to be popular: but when I find one prevailing sentiment upon a subject of deep importance, I feel myself bound, I hold the legislature bound, to consider it with more than common attention. I have endeavoured to do so, and all the consideration which I have been able to give, all the investigation which I have been able to make, convince me that the opinion so universally expressed on this subject, is not less just than it is general. In explaining the grounds upon which I have come to this conclusion, it is not necessary that I should venture upon any lengthened review of the state of the country. After the protracted debates on this subject, which have within these few days occupied the attention of the House, and in which every possible topic connected with it has been discussed, it becomes needless for me to do so. It has scarcely been denied, indeed, by any one, that taxation is one of the main causes of the sufferings under which we labour. The hon. Member for Essex indeed (Mr. Western) has stated his disbelief of this doctrine. He thinks, that because a heavier amount of taxation was borne during the war, the present reduced amount may be supported without inconvenience during peace; and his conclusion is (and an erroneous one I believe it to be), that therefore a relief from taxation will not be a remedy for the existing distress. I will not now stop to inquire whether the reduction talked of has been a real or only a nominal one. I will admit for the sake of argument, that there has been a reduction of our burthens; but admitting this, I differ entirely from the hon. Member for Essex, and I am perfectly convinced that the greater weight then pressed less heavily on the industry of the country than the lesser amount does at present. Are there no circumstances to account for this result? Does it follow, that because this country sustained greater taxation then, she is now able to support even a diminished pressure? What was our condition during the war? Was the state of our industry the same? was it not indeed quite peculiar? Owing to the discoveries of science, to the genius of an Arkwright, a Hargreaves, and a Watt, our industry had been developed in a manner and with a rapidity unparalleled in the history of man. Owing to the unsettled state of the world, the advantage of these discoveries was turned almost exclusively to the benefit of England. Our command of the ocean gave us the monopoly of the commerce of all the universe; our ships were alone the carriers of every nation; our passport alone was respected throughout the globe. There was a depreciation in the standard which rendered our taxation comparatively light; but above all, the same circumstances which gave us the monopoly of improvement and of commerce, not only confined our capital to our own shores, not only prevented it from migrating to seek employment elsewhere, but made England the rallying point, where alone the capital of other countries could find a profitable and secure investment. No wonder if with these advantages we suffered less severely from the pressure of taxation! To the state of this country during the war may be applied with greater truth what was said by Mr. Pitt of its condition during a previous struggle—

> "Per damna per cædes, ab ipso
> Ducit opes, animumque ferro."

With the peace all these advantages have passed away, and we have to meet the new state of things under the languor to which immense exertion must leave either an individual or a country subject. We enjoy no more the exclusive use of machinery. We possess no longer the monopoly of commerce. Our currency is again at its standard value. We have all the world for competitors in arts, in industry, in improvement. Our prices can no longer regulate,—they must follow those of other countries: but above all, not only does the capital of other nations no longer seek investment with us, but our own may find employment in other parts with equal security, and greater advantage. Nor is it our capital only, but the skill, the industry, the intelligence, which have been raised at home, which constitute our wealth and form our power, if oppressed here, will emigrate elsewhere; and we have to meet, not the competition of foreign industry alone, but that of our own native soil, transferred to climes where its scope is less controlled, and its exertions less oppressed. This is the danger we have to dread; and how are we to avoid it? I have said that our prices must follow those of other countries; prices, I need scarcely say, are made up of profits, of wages, and of taxation, which falls upon the one or the other. Wages are, I fear, reduced to their necessary rate. Taxation, then, must fall upon profits, and so it is. We see the rate of profit unduly reduced, and the necessary result must be, that our capital, unable to compete with that of other countries less burthened than our own, will seek employment where it can find it unrestrained. How then can we hope to preserve it, and to support our industry, but by removing or reducing those burthens? If we refuse to do so, we force the capital, the skill, the ingenuity, which we have raised with so much care, to seek another field, where they can put forth their powers unmolested and unimpeded. We sacrifice the natural advantages we possess in our insular position, in our mines of coal, and of iron, the acquired advantages of our accumulated capital, our skill, our priority of industry and of art. We must sink in the scale of nations. Nor is this idle speculation. The history of the world reads us a lesson not to be disdained. No one can have studied this subject even but a little, without being struck with the similarity of the circumstances in which this country is now placed, and those of Holland, during the last century. Whoever will take the trouble attentively to peruse that admirable work of M. de Luzac, "*La Richesse de la Hollande*," will there see the operation of an erroneous system of taxation on the industry and condition of that country. Holland was formerly situated nearly as we are now. It had emerged from lengthened and expensive wars with a heavy burthen of public debt. It had not a numerous poor, but their place in its expenditure was supplied by the necessity of keeping up the dykes. From the foremost place in commerce and manufactures amongst the nations of the world, its industry declined gradually but steadily; and by that writer, as by all who have discussed the subject, that decline was accurately traced to one cause—oppressive taxation. So great was the anxiety of the Dutch government to acquire information on this important subject, that various commissions were appointed for the express purpose; one of the most interesting reports from which was that made by a commission appointed in 1751, in the reign of William 4th, from which I shall, with the leave of the House, read the following extract, so applicable does it appear to me to the condition of this country at present. The extract is from a report of a committee appointed to inquire into the best means of amending the commerce of the republic. It says, "The oppressive taxes, which have, under various denominations, been imposed on trade, must be placed at the head of all the causes that have co-operated to the prejudice and discouragement of our commerce and manufactures; and it may justly be said, that it can only be attributed to that, that the trade of this country has been diverted out of its channel, and transferred to our neighbours, and must daily be still more and more alienated, unless the progress thereof be stopped by some quick and effectual remedy." This was the language of those who inquired most closely into the subject in Holland. Let us at least guard ourselves in time from the chance of being called upon to institute similar inquiries some years hence, and of receiving a similar explanation. But I may, perhaps, be told,—This is all very true: taxation is clearly an evil: we know it; but we have entered into engagements; we have plighted our faith. It is here that I wish to meet my opponents. I agree with what was said by the hon. Member for Callington on a former night, upon the necessity of maintaining inviolably the public faith. I entirely concur with him. I go further; for I should say, although you are oppressed by this heavy responsibility, I am not only ready to maintain that amount of revenue which is requisite to support it, which may be necessary to uphold all establishments conducive to the dignity, safety, and honour of this country, but I am prepared to assert, that under a good system all these burthens may be rendered light, and not only the existing engagements of the country religiously adhered to, but that she may be placed in a situation to make further exertions if necessary, and wield a greater power than ever she did before. It is not of the amount of revenue that I complain: it is not of the extent of taxation. It is not the sum of money which passes into your treasury,—it is the manner in which you raise it, which checks your industry, destroys your energy, and must leave you at last to ruin and poverty. It is not by the amount of taxation that the injury which it inflicts is to be measured,—it is by its effects. It is the incidence of taxation to which we have to look. This is the only standard by which we can measure the taxation of any country; and this has been the concurring opinion of all who have studied the subject. We find it in our own country; we find it in others. I have already referred to the state of Holland, I might appeal to France and Spain. All the writers upon Spain, Ulloa, Usteritz, and others, concur in opinion that the decline of that country was more to be attributed to the imposition of the Alcavala, the most odious tax ever imposed in any country, than to any other circumstance whatever; and the flourishing condition of Catalonia and Valencia, where it did not exist, amply confirm this view. Sully, Vaubanc, Turgot, and others, agree in attributing the miserable condition of France to the system of taxation more than to any other cause; but to the incidence, and not to the amount. Sully showed, that in order to raise a revenue of 30,000,000 francs, 150,000,000 were actually taken from the people. When M. Turgot came into the administration, he had an exact calculation made of the expense required for keeping up the roads: he found that it would amount to 10,000,000 francs; whilst it appeared that by the system of Corvée the execution of repairs was carried on at an expense of 40,000,000 to the people, Turning to English authorities, I find that on the importance of the incidence of taxation, Adam Smith has the following passage, with which I must trouble the House. "Every tax ought to be so contrived as both to take out and keep out of the pockets of the people as little as possible, over and above what it brings into the public treasury of the State. A tax may either take out or keep out of the pockets of the people a great deal more than it brings into the public treasury, in the four following ways:—First, the levying of it may require a greater number of officers, whose salaries may eat up the greater part of the produce of the tax, and whose perquisites may impose another additional tax upon the people. Secondly, it may obstruct the industry of the people, and discourage them from applying to certain branches of business which might give maintenance and employment to great multitudes. While it obliges the people to pay, it may thus diminish, or perhaps destroy, some of the funds which might enable them more easily to do so. Thirdly, by the forfeitures and other penalties which those unfortunate individuals incur who attempt unsuccessfully to evade the tax, it may frequently ruin them, and thereby put an end to the benefit which the community might have received from the employment of their capitals. Fourthly, by subjecting the people to the frequent visits and odious examination of the tax-gatherers, it may expose them to much unnecessary trouble, vexation, and oppression; and though vexation is not, strictly speaking, expense, it is certainly equivalent to the expense at which every man would be willing to redeem himself from it." Let the House but examine our present system, and say how far it agrees in almost every respect with the description of that kind of taxation, which Adam Smith so justly deprecates. How are the taxes raised in this country, in which it should be our peculiar care to throw no impediment in the way of the productive employment of our capital and of our labour? Let Gentlemen look at the Returns upon the Table, which show that 6,000,000*l.* of taxes are levied upon raw materials and upwards of 2,000,000*l.* on your own manufactures.* Nor is it surprising that our system should be faulty. If anyone feel astonishment, let him consult the history of British taxation, and he will cease to entertain any. By far the greater part of our taxes were imposed during a period of excitement and of disturbance, whilst we were struggling for our existence, and only thought how to meet the exigency of the passing hour. In the year 1793 the whole Revenue raised was only 17,000,000*l.*, and this amount was carried rapidly in the course of a few years by successive taxation to the enormous sum of 70,000,000*l.* No wonder then that true principles should have been lost sight of, and that the system then adopted upon the pressure of the moment should have been faulty in every respect. Let me not be told that Mr. Pitt gave the sanction of his name to such measures: I know he did; but it was in defiance of his own principles, and in contradiction of his own recorded opinions. I know, that yielding to the necessities of the times, urged on by a desire of providing means for a war, every year of which he believed would be the last, he departed from the principles which, in better times, had guided his policy. But it is to those times, from 1783 to 1793, that I would appeal. Were Mr. Pitt now alive, I would call upon him to support my proposition upon the principles which he himself then laid down, when he carried those measures into execution, upon which, now that the spirit of party has died away, his fame as a financier (and as a financier only) is acknowledged to rest—his two great measures, the Commutation Act, and the Commercial Treaty with France. Fatal, indeed, has it been to this country, that events interposed to prevent him from following up such policy as this. But if the sound judgment of Mr. Pitt yielded to the pressure of the great struggle in which we were engaged, no wonder if his successors should have committed similar errors, and that we should see each succeeding Chancellor of the Exchequer wield his power without regard to any principle or any interest. It was reserved, indeed, for Mr. Vansittart to show by his administration the soundness of Swift's remark, that the arithmetic of the Exchequer is not like the arithmetic of common life: for him it was reserved to despise the principles of philosophers and statesmen, to disregard the experience of all previous times, and assume as a mathematical proposition, that by doubling his rates of duties he would double his revenue. But I shall not stop to blame the minister, and still less to impugn the Parliament who could sanction his measures. It is easy, indeed, to believe, that the statesmen who could gravely propound the astonishing proposition, that the one-pound note and a shilling were worth the guinea, which was currently sold at twenty-seven shillings, and the House of Commons which could sanction such a monstrous absurdity, should not have been difficult in coming to an understanding upon other matters of finance as preposterous and as ridiculous. My wish, however, is not to find fault with the Minister or with the Parliament, but to expose the errors of both, and apply a remedy. It is only necessary, indeed, for the House to make itself acquainted with the subject, to see the propriety of reviewing it. The manner in which, in the days to which I allude, taxation was treated is truly ludicrous. The legislature seemed to treat taxes as an amusing game, and the House will scarcely believe the various changes, the tricks, the experiments of all kinds, to which, in the course of a few years, the taxation of the most important articles of our consumption have been repeatedly subjected. Let me just state a few of them. I find that the tax upon Tobacco, one of the most important articles of revenue during thirty-five years, from 1789 to 1825, has been changed eight times. It was once 350 per cent; it was let down to 200 per cent; it was raised again to 1,200 per cent; and let down again to 800 per cent. Wine, during the same period, was changed ten different times in England; eleven in Ireland. Foreign Spirits in twenty years were altered eleven times; Sugar in thirty years seventeen times; Tea seven times;

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* See Parl. Paper, 1829, No. 172.

and Glass five times. Surely here we have proof that our taxation has been imposed without much consideration, and upon no very definite principles. This is what I propose to consider. In proceeding to state my views, and the course which I should recommend to be taken, I shall, I fear, have to enter into a detail of figures, which I trust the House will pardon; but it is by figures and by facts that this question must be decided, and not by rounded periods, or by eloquent sentences. I propose to divide the taxes, which I shall have to consider, into two branches. First, those which press most injuriously on the raw materials used in our manufactures, or on the manufactures themselves, and which ought to be repealed altogether; and, secondly, the class of taxation which is the principal object of my Motion, and to which I wish to call the particular attention of the House; those taxes, of which the rates are far too high, and a great reduction in which will, I shall be able, I hope, to show, be followed by no reduction whatever of revenue.

I begin, then, Sir, with the taxes upon such articles as I consider in the light of raw materials, or manufactures, and which press hard upon the industry of the country; many of them unfit to be objects of taxation at all, in my judgment; and others exposed to such obnoxious, and harassing, and expensive regulations, as to make them, in a national point of view, not worth the trouble and expense of collecting. I shall instance but a few, but these the most injurious. To begin with Timber. The nett revenue from that is about 1,550,000*l.*; an enormous sum to be levied on an article which necessarily enters into our buildings, our ships, and must be of the first necessity in the industry of the country. But I do not find fault with its amount: my objection is to the manner in which it is imposed. By the papers laid upon the Table of the House it is clearly shown, that by our impolitic exclusion of the timber of the Baltic, except at a scale of duty amounting almost to a prohibition, we tax the consumers of this country to the extent of 1,500,000*l.* more for the supposed benefit of a particular class, but which is in reality as much a dead loss to the country as if it were thrown into the sea.[*] Nor is this the only evil; for whilst you force the consumer to pay an exorbitant price, you make him take an inferior article, quite unfitted for the purposes for which he requires it. This is one of the blessings we owe to Mr. Vansittart's administration, who by his proceedings in 1809, 1810, and 1813, on the vain pretext of ensuring a supply and rendering us independent of foreign aid, imposed this tax upon the country, forced a bad article upon the consumer, and destroyed a trade which gave employment in 1809 to no less than 428,000 tons of British shipping, or one-fourth of the commercial navy of the kingdom.[*] I shall not, however, dwell upon this article, because I am aware that there are political considerations, however futile in my opinion they may be, which are involved in its discussion, and because the subject is of such magnitude, and of such importance, as to be worthy of a separate discussion; and I cannot believe that it will not soon obtain one. I shall only affirm my belief, that by changing the system, by re-opening the trade to the Baltic, you have it in your power to relieve the consumer to a great extent, and to increase your revenue at least one-half.

The next article to which I come involves purely financial considerations. It is Hemp; the duty on which amounts to only about 70,000*l.* The rate is about 4*l.* 13*s.* per ton, or about sixteen per cent. The House will recollect, that I last year called their attention to this subject. The duty levied on this article is at once the most absurd and the most monstrous of any in your Customs; for whilst you tax an article in its raw state, not produced at home, of the first necessity for the greatest interest of this country, your marine, you admit it in a manufactured form to be used in your shipping, if purchased and manufactured abroad. You hold out a premium to the manufacturers of foreign countries, whilst you deny to your own even an equality of position as regards the raw material, which might give them a chance of fair competition. This is indeed breaking not only every sound principle, but even those principles which have hitherto guided your policy; and the result I need scarcely add has fully proved the wisdom of your law; your marine suffers, your importation has declined to one-half, and your own manufacturers are ruined.

I come next to Soap, the gross duty on which I find to be, in 1828, the last year I have an account of, 1,414,954*l.*; the nett only 1,210,754*l.* The duty on hard soap (and the revenue on soft soap is next to nothing) is *3d.* per lb. or from 110 to 130 per cent, or in some cases even more. This is a large sum, and I must fairly own that I do not think it at all an unfit object of revenue. But it is clear that the duty is far too high to answer the purpose, and the regulations for collecting it lead to frauds of the grossest description. There is no duty in Ireland, and it is notorious that a large quantity of soap is smuggled back again from that country into England. There is no fixed rule for the collection of the revenue: there are no less than seven different modes of levying it: in London there is one way, in Liverpool another, in Hull a third, and so on. This is meant to avoid fraud, and the result is to invite it, and of course to harass the fair trader. I know of two houses who avail themselves of some of the existing regulations to carry on an extensive business entirely with the capital of the Government. I will shortly explain how. There is a drawback on the exportation of soap to Ireland, which is paid immediately, whilst the duty is not required until the expiration of six weeks from the manufacture of the soap. Two houses in Liverpool exporting their soap to Ireland, immediately after it is made receive the drawback, which exceeds in amount the value of the soap, and which they have not to pay in the shape of duty for nearly five weeks, during which time therefore they hold in their hands the capital of the Government, and actually trade with it. But there is no end to the various frauds which arise under this system. I should tire the House were I to enter into a further detail of them. I will only remark, that I am satisfied if the duty be reduced to 60 or 70 per cent at the outside, if it be levied equally over the United Kingdom, and above all if the regulations be simplified, your revenue would rather increase than diminish. But if I pass by this duty so easily, I cannot do so with the next article I come to, one which enters largely into the manufacture of soap—Barilla—the duty on which was, in 1828, *59,249l.*; at a rate, in spite of late reductions, of 100 per cent. That duty was avowedly imposed for the exclusive benefit of a few families in Scotland, who vainly hoped to protect the manufacture of kelp. This plan has completely failed: for whilst the manufacturer has been oppressed, the producer of kelp has quite lost his market, since he has been met by the introduction of a factitious alkali, or what is called Soude Factice, which has completely undersold him. Is it to be borne, that for the sake of protecting nominally a few individuals, or to raise such a miserable duty, you should oppress one of your most important branches of manufacture?

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[*] See Parl. Paper, 1828.

[*] See Lords' Report on Foreign Trade.

I may be told, perhaps, that this is a trifle. Not so, however, is the next article to which I shall allude, that of sea-borne Coals, the nett duty on which in 1828 amounted to *833,072l.* It is quite impossible to justify the continuation of this tax for one hour. Since its imposition, circumstances have entirely changed; and whoever will refer to the debates which took place so often upon this subject, will find that the grounds on which it was defended are completely different from those of the present day. At the various periods at which this duty was imposed,—for instance, during the early periods of the war,—coals were principally used for fuel; and although the tax fell heavily on individuals, and affected their comforts, it did not operate on the manufactures of the country. But now, when that article has become so important in this respect, is it politic, is it just, to compel manufacturers to establish themselves in inland parts, where they can obtain coals at a cheap rate, and to prevent them from fixing their works on the coast or in the capital? On what principle of equity or of justice can you call on the manufacturer of Norwich or of London to pay a duty on an article from which you exempt his neighbour at Manchester or at Paisley? Whoever will inquire but briefly into this subject, will see the injurious effects of this duty. In the glass manufacture, for example, it has completely driven the manufacturer of the metropolis from the coarser to the finer kind of goods. Under the general use of steam power, which prevails more or less through every branch of industry, it must seriously injure almost every manufacturer who comes within its operation. It is, I maintain, utterly indefensible; and I should propose its removal with as little delay as may be. I shall not trouble the House with any more remarks upon the taxes on raw materials. I hold in my hand a list of two hundred and seven, many of which could in my opinion be most advantageously dispensed with, and others essentially reduced; but I shall call its attention to the taxes on those articles of manufacturing industry which are peculiarly oppressive, and peculiarly deserving of inquiry—I allude to those on Glass, Paper, and Printed Calicoes.

The gross duty on Glass for the year 1828 amounted in Great Britain (I exclude Ireland as it is a mere trifle; only 20,000*l.* and has been lately imposed) to 953,257*l.*; the nett duty to 577,725*l.* the difference being either returned or sacrificed in the collection. And here I would entreat the House to remark, that for the sake of such a sum as half a million, a charge of collection on nearly a million is incurred. The duty is 6*d.* per lb. on Flint, but equal to 7*d.* from the mode of its collection: in other words, upwards of 100 per cent; the glass, when made, selling for 1*s.* to 14*d.* This too is a very much reduced duty from what it was; and here the House will observe an admirable illustration of the effect of heavy duties on consumption, and consequently on revenue. In 1794, the last year in which the duty was 21*s.* 5*d.* per cwt. for plate and flint, and other kinds of glass in proportion, the quantities paying duty were as follows:

	Flint & Plate.	Broad.	Crown.	Bottle.
Cwts.	67,615	20,607	83,940	227,476

The duties were successively raised to 49*s.*; and at last by Mr. Vansittart, in pursuit of his favourite theory, in 1813, to 98*s.*! And let us see the result: in 1816 the consumption had declined to

	Flint & Plate.	Broad.	Crown.	Bottle.
Cwts.	29,600	6,140	55,502	155,595

In 1825, Government saw a part of their error, and reduced the duty by one half, still leaving it too high: but mark the effect: in 1828, the last year for which I have the return, the consumption rose to

	Flint & Plate.	Broad.	Crown.	Bottle.
Cwts.	68,134	6,956	90,603	224,864

Still however only about the same as in 1794. It appears, therefore, that notwithstanding the increase of population and general luxury, the consumption has been kept down by your improvident system, and is actually now less than it was five and thirty years ago. But here again the duty is far from being the greatest evil. Let any one turn to the Act, he will find thirty-two clauses of regulations, penalties, prohibitions, all vexatious to the manufacturer, and all to be paid for by the public. I have said, that the duty on flint glass is 6*d.* per lb., the glass when made selling for 1*s.* But the excise officer has the power of imposing the duty either when the glass is in the pot at 3*d.* per lb., or after it has been turned out at 6*d.*; the glass when turned out gaining 100 per cent. It is found more advantageous to the revenue to exact the duty on glass in the pot at 3*d.*; and in this way the duty is raised to 7*d.* Nor is this all: the manufacturer is driven by this method into the necessity of producing frequently an article which he does not want. He makes the fine glass from the middle, the coarser from the top and bottom of the pot. He frequently wants only fine glass, and he would remelt the flux of the coarser parts if he had not paid duty upon it; but of course he is unable to do so. All the glass-manufacturers whom I have consulted agree that the whole cost of the Excise to the consumer, besides the duty, which is 100 per cent, is 25 per cent; and besides, there is great inconvenience and oppression from the frauds which are daily taking place. And observe the effect which is produced upon your trade both at home and abroad. A manufacturer, who has lately travelled through France, the Netherlands, and Germany, has assured me, that our manufacturers could advantageously cope with foreigners, were it not for the duties imposed by the Government. Labour is as cheap in this country, our ingenuity is greater, and materials are also as cheap; it is, then, the vexatious onerous duty alone, that gives the foreign manufacturer the advantage over the English. But the effect of the duty goes further; it operates to prevent all improvement in the article, because, to improve, experiments must be made; but a man, with a duty of 125 per cent over his head, is not very likely to make many experiments. This argument applies especially with respect to colours. A manufacturer has assured me that he has never been able to produce a beautiful red, because the duties have prevented his trying the necessary experiments without his incurring a great risk or loss. Thus a miserable duty, amounting to only 500,000*l.* and upon which a charge of ten per cent is made for collecting, is allowed to impede our native industry, to put a stop to all improvement, and be a source of endless oppression and fraud. I really cannot believe that the Legislature will resist such an appeal as the manufacturers of this article could make to them, or refuse to relieve them from the gratuitous injury which is inflicted on them.

I now come to the duties levied on Paper, the gross produce of which for 1828 (Ireland again excluded, where the duty only amounts to 23,900*l.*) I find to be 743,422*l.*, the nett amount 699,544*l.*; from which the charge of collection remains to be deducted. The duty is on some kinds of paper 1½*d.*, and on others

$2\frac{1}{4}d$, on others *3d.* per lb., varying from 50 to 150 per cent on the different kinds of paper! Surely I need scarcely press upon the House the utter impolicy of taxing to such an extent an article of such infinite importance to this country. It is in fact a tax upon science, upon knowledge, on the diffusion of education, and of useful information. But here again the amount of the tax levied forms but a small part of the expense to which the public must necessarily be put to repay the manufacturer for all the trouble and annoyance to which he is subject by the regulations of the law under which he carries on his business. The vexatious nature of this act is almost incredible. I must trouble the House with some slight description of them in the words of the manufacturers themselves. One of them upon whose accuracy and honour I can rely writes to me thus:—" We are bound to give twenty-four or forty-eight hours' notice (according to the distance the exciseman lives) before we can change any paper, and to keep it in our mills for twenty-four hours afterwards before we send it to market, unless it has been re-weighed by the supervisor; to have the different rooms in our manufactories lettered; to have our engines, vats, chests, and presses numbered; and labels pasted on each ream;—should we lose one label the penalty is 200*l.* I generally write a request for five hundred labels to the Excise at one time, and should any person get into my mill, and steal or destroy them, the penalty would be 100,000*l.* I believe there is not any kind of paper pays more than 20*s.* per ream duty. If the penalty were 40*s.* it would be quite sufficient to answer every purpose for the security of the Revenue. We are obliged also to take out a yearly license, and a mill with one vat pays as much as one that has ten." Another says, " it is no slight aggravation of the evil, that the laws are so scattered and confused as to render it almost impossible for anybody to have a perfect knowledge of them, and frequently what is a great annoyance to an honest man, is no check to a rogue. It is true, the Excise laws are seldom, or perhaps never, acted upon to their utmost rigour; but still they confer almost unlimited power on those who have the administering of them, over the property of all who come under their influence; and I am persuaded that they never could have existed, if they had affected the whole of the community." This last observation I think well deserving the serious consideration of the House. It is in fact the real grievance of your Excise laws, and I can safely affirm, that if there be a law under their influence which requires revision, it is that which we now have before us.

But I now turn to the last tax of this description, on which I shall think it necessary to dwell. The subject has already been partially brought before the House during the last Session, by my hon. friend, the Member for Montrose, in moving for some returns, of which I shall avail myself—I mean the tax on Printed Calicoes. It is matter of surprise to me, that this most impolitic impost should have been allowed to continue, especially when it was declared by the Committee of 1818, to be "partial and oppressive, and that its repeal was most desirable." Who, indeed, can examine it, and not feel the truth of this observation. Is it credible, that in order to raise a nett revenue of 599,669*l.*, a gross tax should be imposed of 2,019,737*l.*? and yet this was the return according to the paper on your Table for the year 1828! And these figures are still far from shewing us the real cost of the collection of this tax. That must be taken upon the gross produce, and supposing the rate of collection for the Excise to be 5 per cent, which is less than it really is, you have a cost of 20 per cent on the nett produce of this tax for charges. In addition to this, from all the inquiry I have been able to make, the increased cost to the manufacturer is fully 5 per cent upon the whole quantity made, so that you have thus two sums of each 100,000*l.* levied on the public for the sake of exacting a duty of 600,000*l.* But the revenue is again in this case far from being the measure of the injury you inflict. The inequality of the tax constitutes its chief objection. The duty is levied upon the square yard at $3\frac{1}{2}d.$ per yard. Thus the piece of Calico which sells for *6d.* duty paid, contributes equally with that which is worth *5s.* per yard. You levy an onerous and oppressive tax of 100 or 150 per cent upon the poor, who are the purchasers of inferior cottons, whilst the rich who buy only the finest kinds pay but 10 or 15 per cent. I have thought it necessary, Sir, to detail these taxes to the House, as those relating to this branch of my subject, which I consider most injurious, and the repeal of which I should most earnestly recommend, as soon as it can be done consistently with the revenue required for the wants of the country. They amount, after all, to but a moderate sum; but the gain to the public from their abolition is not to be measured by their pecuniary amount, although that would considerably exceed any loss to the Exchequer. For convenience sake I will just repeat what in my opinion would be the amount of both. I take Hemp at 70,000*l.*, Barilla at 69,000*l.*, Coals 800,000*l.* Glass 577,000*l.*, Paper 699,000*l.*, Printed Calicoes 599,000*l.*, making a total of 2,814,000*l.*, but which, deducting the charges of collection upon the gross duties respectively, cannot produce to the Exchequer more than about 2,600,000*l.* The gain to the public, however, by the removal of this amount, I think I am fairly justified in taking at a sum of at least 3,600,000*l.*, even if we only look to the positive pecuniary saving by their having no longer to defray the increased cost of every article which is subjected to these onerous duties, and the vexatious regulations which attend their exaction; but the real gain would be infinitely greater, if we take into account, as we ought, the new employment for capital, the skill, the improvement in art which would at once be brought into action, if the various branches of industry which now languish under the pressure of these taxes were set free. If I be asked what substitute I propose in the place of those taxes which I desire to see reduced, I should reply, that a very large proportion of their amount, if not the whole, might be supplied by a reduction in the expenditure of the country; but should that not be found practicable, there are certainly various sources of revenue to be found, infinitely less burthensome to the community. The bounties on the fisheries, the bounties on linen, both useless and mischievous, should be abolished, and would constitute a considerable sum. Various plans have already been suggested, and more could undoubtedly be found, of raising so small a sum in a way much more advantageous to the industry of the country. One, for instance, has been suggested by Mr. Humphreys (I mention it only because every thing which comes from him is worthy of attention), of equalizing the duty upon stamps and transfers, and applying the legacy duty to real property, as well as personal estate; the last item alone he calculates would yield 1,500,000*l.* I do not mean to say that I am by any means friendly to the adoption of such a measure; on the contrary, I should be adverse to it in the way he proposes it; but I merely advert to it, or to the plan suggested by my hon. friend the Member for the Queen's County, to show that if ever the attention of a committee were drawn to the whole subject, I have no doubt that means would be found of supplying whatever might be required, without taxing productive industry to the extent which the taxes I have enumerated do. And here, Sir, I take the opportunity of saying a word on the great question introduced the other night by my right hon. friend the Member for Liverpool into his speech,—I mean the question of a great mutation of taxation, and the substitution of a direct tax upon income for a large portion of our indirect taxes. I think it but just to myself, and but fair to the House, to declare my concurrence in the view which he takes upon this subject. I agree with him in thinking, that under proper regulations, and with sufficient securities, such a change would be beneficial in the highest degree to the industry and improvement of the country: but having said thus much of my own individual opinion, which I should be ready at a proper time to justify and support, I must declare, that the consideration of such a plan forms no part of my present Motion, and I feel myself therefore by no means called upon to discuss it. I shall now therefore pass to the consideration of the second branch of my subject, by far the most important part of it; the second class of taxation which I propose to consider, namely, of those articles in which a considerable reduction of rate may in my opinion be effected without producing any falling off in the Revenue. It is to this important point that I am anxious more particularly to direct the attention of the House, as it is upon this subject that I think a committee would be eminently useful. The more I have considered this branch of our Revenue, the more convinced I have become, that we have within our own power the means of greatly diminishing the pressure upon the people, and of affording them increased means of enjoyment without injuring in any important degree the income of the State. If, Sir, there be one principle more clearly established than any other in financial science, it is the axiom of Dr. Swift, that in the calculations of revenue two and two do not always make four, but much more frequently only one—in other words, that there is a point in taxation, where by increasing the amount of your duties, instead of increasing your revenue you defeat your own purpose; and that on the contrary, by lowering duties which have been unduly raised, you not only augment the means of enjoyment of the consumers, but you increase the actual amount of your revenue. Wherever we turn in the history of our own taxation, we find this doctrine amply illustrated. Unfortunately we have too many examples of the one principle, that increased taxation does not increase revenue; but we have likewise proof enough of the other, that augmented revenue may follow diminished duties. The history of Ireland affords the most striking illustration of the first of these rules. A case is there established, which is written in characters too legible not to serve as a guide to future financiers,—one which ought to bring shame upon the memory of its authors. The revenue of Ireland in the year 1807 amounted to 4,378,000*l.* Between that year and the conclusion of the war, taxes were successively imposed, which, according to the calculations of chancellors of the Exchequer, were to produce 3,400,000*l.*, or to augment the revenue to the extent of 7,700,000*l.* What was the result? Why, that in the year 1821, when that amount, less about 400,000*l.* for taxes afterwards repealed, ought to have been paid into the Exchequer, the whole revenue of Ireland amounted only to 3,844,000*l.*, being 533,000*l.* less than in 1807, previous to one farthing of these additional taxes having been imposed. Here is an example to prove that an increase of taxation does not tend to produce a corresponding increase of revenue, but on the contrary an actual diminution. The contrary principle, that for which I contend, is equally well illustrated in the later periods of Irish financial history; but it is singularly well exemplified upon the largest possible scale by that of the United Kingdom within the last few years, and to that I propose to refer. By the papers laid before the Finance Committee, it was shown, that between the years 1823 and 1827, taxes were repealed which should have produced a loss to the revenue of 9,182,571*l.* But what was the nett loss? only 3,308,316*l.*; the enormous difference of 5,874,255*l.* being made up by increased consumption. With such examples before us, with such facts staring us in the face, can we doubt for a moment, that by acting in a similar way we may confidently look for similar results? Let us examine, then, how far our system of taxation affords us the opportunity of following out this principle. When we come to this consideration, it is curious indeed to observe the ample means we have of doing so. I shall have occasion by and by to advert to some duties of minor importance; but I would first draw the attention of the House to the five great branches of indirect taxation in this country, all taxes levied upon articles in most general use amongst all classes of society in this country, amounting to no less a sum than upwards of 15,000,000*l.* These five great sources of revenue were as follows in the year 1828, the last I have the accounts of, for the United Kingdom.

Nett produce of Sugar........	£.5,002,000
Tea	3,177,000
Tobacco	2,793,000
Foreign Spirits	2,921,000
Wine........	1,699,000
	£. 15,592,000

Now it is plain, that if we can, by diminishing the rates of duties on these articles, and at the same time not only not diminish, but perhaps even augment the revenue,—on articles so essentially necessary to the comforts of all classes of society, we shall be effecting a most important service, and conferring a vast benefit upon the country. And yet, Sir, I am prepared to assert, that not only would that be practicable, but that such a result would be inevitable. I am prepared to show, that in doing so the House could scarcely be said to be trying an experiment, or risking any thing whatever; for we have only to go through the history of the taxation of every one of the articles that I have mentioned, and we shall find that each affords the clearest possible illustration of the truth of what I affirm. This is what I propose now to do; and although I shall, I fear, have to trespass much on the patience of the House, I rely upon their indulgence for being allowed to produce so interesting a case.

I begin then with the article of Wine. And here I must allude to an opinion which was delivered by the right hon. Gentleman opposite, the Chancellor of the Exchequer, in opposing a proposition of my right honourable friend, the Member for Invernessshire, last year, for a reduction of the duty on sugar. He contended that an increase of consumption and of revenue might follow the reduction of duty on an article of luxury, but would not, to the same extent at least, in articles of general consumption. From that proposition I dissent; and I maintain directly the reverse. Still, as wine may be considered partly an article of luxury, and partly of necessity, I trust that I shall obtain the concurrence of the Chancellor of the Exchequer, who maintains his principle, as well as of those who agree in mine, which I believe to be more correct. Indeed, it is only necessary to refer to facts, to be convinced that the application of this principle to the duties on Wine would lead, not to a diminution, but an increase of the revenue. The House will not be a little surprised, I am confident, by the extraordinary effects which have followed the duties that have, from time to time, been laid upon this article. A century ago we consumed in this country, upon an average, annually, 14,000 hogsheads of French or Bourdeaux wine. It appears, that we now only consume, with the present high rate of duty, 1,400 hogsheads. The right hon. Gentleman opposite seems to doubt this statement, but I can assure him that it approaches as near as possible to accuracy. But it is not my intention to refer to such remote periods, I come to a calculation as to the duties levied, and the effect of their imposition upon this article, since the year 1786. It is to be borne in mind, that at that period Mr. Pitt took infinite pains to carry into effect a commercial treaty with France, and with that view, and for the purpose of facilitating the execution of that treaty, he lowered, to a very considerable extent, the duties upon French wines consumed in this country. That system of commercial taxation then introduced by Mr. Pitt, had it been persevered in, would have conferred great and lasting benefits on this country and upon France. Now the average annual consumption of French wines in Great Britain, separately from Ireland, from 1791 till 1793, amounted to 270,000 gallons; the duty was then but 3*s.* 9*d.* per gallon, the average amount of duty was 52,000*l.*: the annual average consumption of all foreign wines for those three years amounted to 7,500,000 gallons, and the total amount of duty levied thereon, to 1,122,000*l.* In the year 1813, when the duty had been raised 320 per cent., the consumption of French wines in this country declined from 270,000 to 36,880 gallons; the revenue by the increase of duty only rose to 73,000*l.* from 52,300*l.*; and thus, though the duty had been increased from 3*s.* 9*d.*, which it was in 1791–3, to 16*s.* 5*d.*, that is, though the duty upon French wine had been in this manner actually quintupled, there had been only an increase of one-third in the revenue. I will now refer to the duties raised in 1820 and 1822. At that period the duty had indeed been lowered from 16*s.* 5*d.* to 11*s.* 5*d.* upon French wines, but it remained at 7*s.* 8*d.* upon other wines: the consequence was, that the annual consumption of French wines had increased to 171,000 gallons—the duty increased to 102,000*l.* yet the total annual consumption of foreign wines amounted to only 5,000,000 gallons—the total revenue raised to 1,803,000*l.* Here is a complete proof of the truth of the principle for which I contend. The increase of the duty had been followed by a great diminution in the consumption of wine, but by only a trifling addition to the amount of the revenue as compared with 1791; for, though at this period,—I mean 1820 and 1822,—the duty was lowered from 16*s.* 5*d.* to 11*s.* 5*d.* on French wine, which had therefore increased, it remained the same on other kinds, and the total consumption of foreign wines in this country had fallen off from 7,500,000 gallons, which it was when the low rate of duty existed in 1791, to 5,000,000 gallons, and the revenue was only raised from 1,122,000*l.*, to 1,803,000*l.*, though the duty had, in the interval that elapsed between those two periods, been raised 320 per cent. Now, what was the effect of lowering the duty? In the year 1825 the duty on French wine was reduced to 6*s.* per gallon, and the duty upon other foreign wines to 4*s.* per gallon; the consequence was, that the consumption of French wine increased to, in 1828, 550,000 gallons, producing a revenue of 136,000*l.*, and the total consumption of foreign wines rose to 7,580,000 gallons, producing a revenue of 1,506,000*l.* Thus, though the duty was lowered 50 per cent you had a positive increase of revenue from French wines of 35 per cent with an increased consumption of 300 per cent., and taking all foreign wines, the revenue was only diminished 12 per cent, whilst the consumption was augmented 45 per cent. This was the case with the duties on wine in England. I will now refer the House to Ireland, where the effect of an increase of duty is still more remarkable. In Ireland, in the years 1789 and 1790, when the duty upon French wine was 33*l.* 7*s.* per tun, the average annual consumption amounted to 490,000 gallons producing a revenue of 62,000*l.* The duty upon other foreign wines was then 22*l.* 4*s.* per tun, and the total consumption of foreign wines at that period in Ireland amounted to 1,400,000 gallons, producing a revenue of 135,000*l.* From that period the duty was successively raised to 44*l.*, 54*l.*, 64*l.*, 75*l.*, 87*l.*, and 105*l.*, and at length it was raised by Mr. Vansittart to 139*l.*, and thus the duty remained until 1814, when the rates were assimilated to those in Great Britain. What was the effect of this increase of duty? A gradual decline, until in the years 1820 and 1822, when the duty had been raised to 11*s.* 5*d.* per gallon on French wine, and to 7*s.* 8*d.* on other foreign wines, the consumption of French wine in Ireland amounted to no more than 21,500 gallons, producing a revenue of 12,300*l.*; and the total consumption of foreign wines in Ireland amounted to only 566,000 gallons, producing a revenue of 188,000*l.* Thus, therefore, though in this instance the duty had been raised 500 per cent, the revenue upon French wine, compared with that produced in 1788–90, had been reduced one-fifth part; the total revenue upon the consumption of wine in Ireland had been only raised 30 per cent, and the consumption had been diminished 60 per cent. In the year 1825, when, as in this country, a still greater reduction was made in the duty on wine in Ireland, the consumption of French wine increased there in 1828 to 55,000 gallons, producing a revenue of 16,700*l.*; and the total consumption of foreign wines in Ireland increased to 1,003,000 gallons, producing a revenue of 193,000*l.* Thus, though the duty had been, in this instance, reduced 50 per cent, the revenue had actually increased 6 per cent, and the consumption had increased 50 per cent. But still the consumption of wine in Ireland is less by one-third than it was in 1790, though the population in that country has more than doubled since that time.* These facts are sufficient to prove the utility and propriety of applying the principle of reduction to the duties upon these articles. I will ask, after such instances, whether, if the duty were now reduced to 3*s.* per gallon on French wine, we should not still be likely to collect a revenue equal to the present? It may be said, however, that there is a treaty in the way, between this country and Portugal, to prevent us proceeding further with such reductions, and that it would not be right to do any thing in that way now. I do not want to have any thing done hastily. I do not want the Government to make a sudden alteration in the system, but I sincerely hope that our interests will not be sacrificed to the miserable idea of keeping up a connection with Portugal, and that no such consideration will prevent us from taking our neighbours' produce when they can give it us good and cheap, it being quite obvious, that they must afford us a market in return for our own. France, it is said, would not take our goods in return for her wine—but that is absurd. If we take her wine, she must take our produce in return, or something for which our produce has been exchanged.

I now proceed to a most important article—I mean Tobacco. Tobacco has become an essentially necessary article of consumption amongst the lower classes of society in this country. It may be considered by hon. Gentlemen as a luxury, but amongst the lower classes in this country it has become an article absolutely necessary to their comfort; and there is none upon which the imposition of high duties tends more to lead to a contraband trade. I will show, that the principle for which I contend may be also most advantageously applied to this article. I will state to the House the average consumption of tobacco in Great Britain at different periods, according to the returns on the Table.* In the year 1795, when the duty was 1*s.* 3*d.* per lb., the consumption of tobacco amounted to 10,972,000 lbs., producing a revenue of 659,000*l.* In the year 1806 the duty was raised to 2*s.* 2*d.*—now that duty might be considered fair enough, and not too high. The consequence was, that it did not affect the consumption, which increased to the extent of 3,000,000 lbs., and the consumption in 1812, the last year of that duty, being 15,043,000 lbs., and the revenue produced 1,679,000*l.* Afterwards the duty was successively year after year increased, until it was actually doubled—that is, raised to 4*s.* per lb.; and the consequence was, that in the year 1824, that is, the last year before the duty was changed, and a reduction made in it, the consumption of tobacco amounted to only 13,083,000 lbs., and though the duty had been doubled, the revenue, instead of being raised to 3,400,000*l.*, only amounted to 2,627,000*l.* In the year 1825 the duty on tobacco was reduced to 3*s.* per lb. The consequence was, that the consumption of tobacco increased in 1827 to 14,704,000 lbs.; and though the duty had been lowered one-fourth, the falling-off in the Revenue, which should have been 656,500*l.*, was only 404,000*l.*, for the revenue produced amounted to 2,223,000*l.* In the case of Ireland the argument is still stronger; and it is to be recollected that tobacco is even a greater necessary in Ireland than it is in this country. From 1794 till 1797 the annual average consumption of tobacco in Ireland amounted to 7,947,000 lbs.; the duty was then only 8*d.* per lb., and the revenue produced amounted to 215,000*l.* Now in the year 1820, the consumption had diminished to 2,582,000 lbs.; being about one-fourth of what it had been in 1797, while in the meantime the duty had been raised to 4*s.* per pound.; and thus, though the duty had been raised 600 per cent, instead of producing, as one would have expected, a revenue amounting to 1,290,000*l.*, it only increased the revenue to 516,000*l.*, being not quite double the revenue raised in 1797. In the year 1825, the duty on tobacco was reduced to 3*s.* per lb., and the consumption in 1827 had increased to 4,041,000 lbs., and the revenue produced amounted to 603, 037*l.* Thus though the duty had been reduced one-fourth, instead of producing, as might have been supposed, only 387,000*l.*, it produced 603,000*l.* or one-sixth more than the higher rate of duty produced. The population in Ireland has doubled since 1794; and it is only reasonable to conclude, therefore, that the consumption of tobacco should also have doubled since that period: yet here there is a difference of 4,000,000 lbs. between the consumption now and that in 1794. It is quite preposterous to conclude that a population of seven or eight millions would be content with a consumption of 4,013,000 lbs., when a population of three millions, in 1794, consumed 7,500,000 lbs. The article being, then, of prime necessity amongst the lower orders in that country, it is quite plain that smuggling to a vast extent must be going on at present in it. I would certainly myself propose leaving a duty of 200 per cent upon this article, but at present we have a duty of 900 per cent upon it, which only holds out an extraordinary temptation to smuggling. According to all accounts laid before the House on the subject, smuggling in this article in England, Ireland, and Scotland, is carried at present to the greatest possible extent. I have heard it stated, and I have the fact upon the best authority, that numbers of vessels are constantly leaving the ports of Flushing, Ostend, &c., carrying contraband tobacco to this country. It is a fact which was established in evidence before a committee of this House, that seventy cargoes of tobacco, containing 3,644,000 lbs., were smuggled in one year on the coast of Ireland, from the port of Waterford, to the Giant's Causeway alone[*]. In Scotland, the smuggling in this article is also carried on to a great extent. There is no doubt that the only mode of meeting this system of smuggling, and effectually putting it down, consists in fairly reducing the duty upon this article. I think that if the duty upon it were reduced to 1*s.* or 1*s.* 6*d.* per lb., the revenue would be greatly served and smuggling put down.

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* See Parl. Pap. article Wines, Sept. 1829.

* Parl. Pap. Sess. 1829.

The next article to which I shall advert is that of Foreign Spirits, which again affords the most convincing proofs of the principle in question. In the years 1789 and 1790, the average consumption of brandy and gin in Great Britain was 2,113,000 gallons; that of rum 2,217,000 gallons; the duty on brandy and gin was then only 5*s.*, and the duty on rum only 4*s.*, and the revenue produced amounted to 1,000,000*l.* In the years 1816 and 1817, when the duty on brandy and gin had been raised to 18*s.* 9*d.*, and the duty on rum to 11*s.* 6*d.*, the consumption of brandy and gin amounted to 900,000 gallons, and that of rum to 2,871,000 gallons, producing a revenue of 2,470,000*l.* Thus though the duty had been increased nearly 400 per cent upon brandy and gin, and 300 per cent on rum, the revenue had been only a little more than doubled, and the consumption had fallen off, notwithstanding an increased population, by one-fourth. But there is a still stronger case, in reference to the mode in which those articles have been taxed. In 1801 and 1803, when the duty was 9*s.* 5*d.* on brandy and gin, and 7*s.* 6*d.* upon rum, the total average consumption amounted to 5,799,000 gallons, producing a revenue of 2,468,000*l.* In 1816 and 1817, when the duty upon the former spirits had been raised to 18*s.* 9*d.* and on the latter to 11*s.* 6*d.*, the total consumption amounted to only 3,771,000 gallons, producing a revenue of 2,470,000*l.* Thus in this case, though the duty on brandy and gin had been doubled, and that upon rum raised 50 per cent, the revenue was only increased 2,000*l.*, instead of being increased by 2,000,000*l.* as might have been supposed. I shall now advert to the reduction of the duties upon those spirits, to show how it has acted in increasing the revenue. With regard to rum alone. From the year 1822 till 1825, the average consumption was 2,757,000 gallons, producing a revenue of 1,544,600*l.*; in 1826-28, when the duty was reduced to 7*s.* 1*d.*, the average consumption of rum increased to 4,314,000 gallons, and the revenue produced amounted to 1,537,000*l.* Thus, though the duty had been reduced one-third, the revenue still continued the same,

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[*] See Revenue Enquiry.

That I take to be a case in point. But perhaps it will be said that the increased consumption of rum was owing to a falling-off in the consumption of other foreign spirits. No such thing. The total consumption of brandy, gin, and rum, had increased from 4,237,000 gallons, the average amount in 1822-1825, to 5,994,000 gallons in 1826-1828, and the revenue had risen from 2,993,000*l.* to 3,123,000*l.*, thus proving that a reduction of duty had been followed by an increased consumption of all kinds of foreign spirits, and by a corresponding increase of the revenue. Perhaps it will be said that I do not make a sufficient allowance for a falling-off in the consumption of English, Scotch, and Irish spirits, occasioned by the consumption of foreign spirits. I am prepared with an answer for that objection; and here again I will show, that a reduction of duty has been attended by an increase of consumption and of revenue. It will be found that in 1821 the spirits made in Scotland amounted to 2,229,000 gallons; the duty was 5*s.* 6*d.*, and the revenue produced was 727,000*l.* In 1828, after the duty had been reduced to 2*s.* per gallon English, the consumption increased to 5,716,000 gallons, and the revenue produced amounted to 809,000*l.* In Ireland, in 1821, the amount of the consumption of spirits was 2,649,000 gallons, the duty was 5*s.* 6*d.* per gallon, and the revenue produced was 912,000*l.* In 1828, after the duty was reduced, the consumption rose to 9,937,000 gallons, and the revenue increased to 1,395,000*l.* Here permit me to say are instances which admit of no misconception, which require no arguments to support them! It was given in evidence formerly, before a Committee of this House, and previous to the reduction of the duty upon spirits in Ireland, that 10,000,000 of gallons were consumed in Ireland, and that 7,000,000 of that was contraband spirits. I quote that fact to show how a fair and moderate rate of duty tends to put an end to that system which is created and maintained by an immoderate and extensive rate of duty. But it may be said that the reduction of the duty on spirits tends to the diffusion of immorality and drunkenness. Now that I take to be a very idle and silly objection. I think that nothing can be more absurd than an attempt on the part of the Legislature to control by law the dispositions of the people, as to what drink they shall take and what they shall not take. I will refer those who make suggestions of that kind to what took place in 1743 or 1745, when the Gin Act was brought in, and when a heavy penalty was imposed upon any one who dealt in gin. Yet it was proved that, in spite of that, 6,000,000 of gallons of gin were consumed in London alone.

There are two articles more to which I shall advert, namely, Sugar and Tea. Before I do so, I wish to observe, that by the reduction of duties upon Tobacco and Spirits, we shall not only increase the revenue, but that we shall be thus enabled to put down the system of smuggling, which high duties encourage and maintain, and we can then dispense with the expensive Coast Blockade guard, which it is necessary to keep up at present. By doing so, by reducing the duties upon spirits and tobacco, we shall equally serve the revenue and promote the morals of the country. From the evidence of Mr. Dean, an officer of the Government, before the Finance Committee, it would appear, that the smuggling in these articles alone renders the maintenance of the preventive establishment absolutely necessary; and that for this purpose only is the country called upon to bear an expense of nearly 700,000*l.* I need scarcely urge upon the consideration of the House the great advantage that would result to the country from getting rid of the whole of that system, and of the demoralizing practices of which it is the unavoidable cause. It is well known that all along the coast smuggling prevails to a great extent—it is equally certain that it arises from the causes which I have stated, and that the establishments for checking it, which they do but imperfectly, are scarcely a less evil than the offence against which they are directed.

I now come to the article of Sugar, and upon this I shall not feel it necessary to say much; both because the subject has been already so ably discussed in former debates, and because I really think that my case has been almost admitted. No one surely will be found to deny, that if without any sacrifice of revenue we can assist that very suffering interest, the great body of West-India proprietors, it is our duty to do so. But when, in addition to that, we can benefit so essentially the great body of the people of this country, who more or less all consume sugar, I really cannot express my astonishment that some reduction of this duty should not already have taken place. What does all the evidence of past experience, both of your accounts and of your own officers, say? Why that a reduction of duty is unavoidably followed by increased consumption and even of revenue, and that of course the opposite result follows an opposite course. Let us take the consumption of sugar in 1801, when the duty was 20*s.*; it then amounted to 2,773,000 cwt. In 1821, twenty years afterwards, when your population had increased in Great Britain from 10,000,000 to 14,000,000 it remained stationary, nay, it had rather fallen off, for it amounted only to 2,676,000 cwt.; and why was this? The price had increased from natural causes, and you had raised your duty to 27*s.* During the few past years, the natural price of sugar has fallen materially, and the effect is visible in the increased consumption, which in 1828 amounted to 3,285,000 cwt. But what would be the case if you were to diminish your duty to 18*s.* or 20*s.*? Is it not to be supposed, that with a population of 17,000,000 in Great Britain, and above all with one of 7 to 8,000,000 in Ireland, rising in wealth and in means of purchasing every day, your consumption would rapidly augment, and your revenue with it? The Chancellor of the Exchequer, in arguing this question last year, supposed that a reduction of duty to 20*s.* would be followed by a loss of revenue of 400,000*l.*, allowing for an increased consumption of 500,000 cwt., I am of opinion, that a far greater increase of consumption would really take place, and I may refer him to the evidence of Mr. Irving, in his letter laid before the Finance Committee, for a proof of what I say. I have not the slightest doubt, that if the duty were reduced to 20s. the revenue would be a gainer and not a loser by the transfer. But I shall not go at any further length into this article, and I pass to the next.

I mean, Tea. I certainly am not for proposing a reduction of the duty upon this article as long as the monopoly of the East India Company continues, for that I believe would only be taking money out of the pockets of the public to put it into those of the Company. But the trade ought to be thrown open, and the enormous duty reduced at the same time. I wish too more particularly to allude to tea, because the history of its taxation furnishes the most striking example of the effects of various duties upon it, and serves to illustrate and confirm in the clearest manner, the principle for which I am contending. In 1745 the duty was 4*s.*, and the consumption amounted to only 750,000 lbs., and the revenue was 151,000*l.* In the following year the duty was reduced to 1*s.* per pound, and the immediate result was, that the consumption increased to 2,000,000 pounds, and the revenue instead of falling off actually amounted to 243,000*l.* From 1748 to 1783 succeeding Chancellors of the Exchequer, disregarding the experience of what had then taken place, successively raised the duty to 119 per cent at which it stood in 1783, when the consumption was only 5,857,000 pounds, and the revenue 700,000*l.* At this period Mr. Pitt introduced his celebrated Commutation Act, by which the duty was reduced to twelve and a half per cent, and let the House mark the immediate effect. The consumption rose in 1787 to 16,692,000 pounds, and the revenue raised was 343,000*l.* Thus, though the duty was reduced to one-tenth part of what it was, the revenue only fell off one-half. The duty was again changed, but it still remained moderate in 1799 at 25 per cent, when the consumption had gradually increased to 24,853,000 pounds. Since then unfortunately a different system has prevailed; the duty has been successively raised to 96 and 100 per cent, and let us observe the effect. In 1828, the consumption only amounted to 26,000,000 pounds; so that although we have increased in population nearly to the extent of doubling, the amount consumed remained but what it was thirty years ago. Can anything be more striking than these facts? And what is the necessary inference? It must be, that as the consumption of what is called tea has increased far beyond that extent, the article passing under that denomination must be an adulterated one. By the reduction, therefore, of the present enormous high duty on tea, we should not only benefit the revenue, but we should benefit the consumer, by promoting an increased consumption of the genuine article, and by getting rid of the adulterated article that is now so common. It was given in evidence before the Committee of Smuggling, in 1783, that 4,000,000 pounds of spurious tea were sold in this country, although the consumption of duty-paid teas was only 5,000,000 pounds. If that was the case then, what must be the fact now? We have, before the East India Committee, the evidence of a gentleman, a foreigner, well acquainted with the tea of other countries and of this, who declares that he does not believe that what is called "tea," which he meets with in inns and shops in the interior of the country here, has the slightest infusion of the real plant; that, in fact, it is all composed of sloe leaves. I should certainly not desire to interfere with the home manufacture; but, seriously, such a system of fraud and adulteration ought to be put an end to. I conceive that a reduction of the duty on this article would tend materially to increase the revenue; and I scarcely think that any one can doubt that such would be the result.

I should apologize to the House for the length of time that I trespass upon its indulgence; but I consider it necessary to state the grounds upon which I seek for the appointment of this committee. I make no specific proposition; I merely call for a Committee of Inquiry. If I obtain that committee, I should like to see these reductions made in the duties I have spoken of; a reduction in the duty on Tobacco to 1*s.* 6*d.* per pound,—in that on Foreign Spirits to 10*s.*—in that upon Tea to 50 per cent—in that upon Foreign Wines to one half its present amount, and in that upon Sugar to 20*s.* These reductions, I am satisfied, would be followed by an increased revenue.

I shall now advert to the article of Stamps. I moved, some time ago, for returns of the amount of stamp duties upon Sea Policies, Fire Insurances, and the stamps upon Newspapers and Advertisements. The stamps paid upon sea policies, in the year 1816, amounted to 282,000*l.*; and the ships entered inwards and outwards for all parts of the world, in that year, amounted in tonnage to 3,954,000 tons. Now, in the year 1826, the last for which I have the returns, the amount of stamp duties paid upon sea policies amounted only to 219,000*l.* and the amount of tonnage of the ships entered outwards and inwards in that year was 5,154,000*l.*; thus showing an increase of business to the amount of 1,100,000 tons, or one-fifth over 1816, and a diminution of duty of two fifths. Whence could this arise but from our high rate of duties, which drove insurers to make their policies in the United States or Holland, where they could insure at a cheaper rate? I know of my own knowledge that such has been the case, and that policies are daily entered into in the United States, in Holland, in Germany, and other countries, instead of being made here, in consequence of the difference of the stamp. Can it be otherwise in these times, when a difference in price of $\frac{1}{4}$ or $\frac{1}{2}$ per cent is sufficient to influence the destination of commercial business, and is of material consequence in the present low rate of profit? Now, if we reduced to a reasonable extent this tax, we should bring back this business to ourselves, and at the same time increase the revenue by the change. If his Majesty's Government persevere in this pernicious tax, they must send all insurers across the water. With regard to Fire Insurances, the case is yet more flagrant. The premium in the fire insurance offices in London, in cases of common risk, is calculated at 1*s.* 6*d.*, and upon that 3*s.* stamp duty must be paid to Government. This tax of 200 per cent obviously prevents many from insuring who would otherwise insure. Many who would be anxious to insure their property at the expense only of 1*s.* 6*d.* per cent are deterred from doing so when they reflect, that upon that insurance they must pay a duty of 200 per cent to the Government. What has, in fact, been the consequence of this high rate of duty? A man having one house, with valuable furniture, may even under this duty insure it; but does that hold good with respect to the great proportion of risks? Even in those cases in which there is but one insurance to be effected, the possessor of property will be little inclined to pay three times the real value of the risk incurred to secure himself; but of course whenever that risk can be divided, as is the case in farm buildings, in cottages, in many houses belonging to the same owner, in all those cases in which, by the division of the chances of fire, a proprietor may become his own insurer, he will see the advantage of doing so, and abstain from applying to an office at all, and of course from contributing any thing to the revenue. Does not the amount of insurances clearly show that something is defective in the system? In 1806, when the duty was 2*s.* 6*d.*, the capital insured in Great Britain was 262,716,000*l.*, in the ten years ending 1815 it had increased to 402,360,000*l.* The duty was then raised to 3*s.*, and in the eight following years, the last for which I have returns of the capital, in 1823, it had only increased to 420,804,000*l.*; and the revenue, which under the low duty had increased in ten years from 266,000*l.* to 518,000*l.* or doubled, only rose from 592,000*l.* to 631,000*l.*, or between seven and eight per cent., though no doubt there has been an immense increase of capital and property in this country during that period. If the government duty were reduced one-fourth upon fire policies, I am sure the revenue would be, in that instance, materially increased. I shall now direct the attention of the House to the stamp duties upon Newspapers and Advertisements. My noble friend near me has already adverted to that subject. But I would go further than my noble friend, who has recommended that the present duty of 4*d.* upon newspapers should be reduced to 2*d.*, for I would reduce it to 1*d.*, and I am sure the revenue would benefit by the reduction. We can only judge of the effect of these stamp duties by comparing the state of our newspapers and their circulation with those of other countries. The inhabitants of the United Kingdom lay a high claim to superior intelligence, and to a high literary character. Now let the state of the newspaper press show how the matter really stands. I hold in my hand a return made to Parliament in 1821, with regard to the newspapers in Great Britain and Ireland. It appears from this return, that there were then thirteen daily papers in London, with an average circulation of 2,200 each, making a total circulation of 36,000. By this return it further appears, that there were 334 newspapers altogether in Great Britain and Ireland, of which twenty were daily papers, to wit—sixteen in London, and three or four in Dublin. Strange to say, Scotland, with all its wealth and intelligence, has not a single daily paper. The total amount of the circulation of these papers was 27,827,000, with a population of 23,000,000. Now if we look to the United States, we shall find that with a population of 10,000,000, the number of papers is infinitely greater. It is stated by Cooper that there are 800 newspapers in the United States, that of these fifty are published daily, and that the total circulation of them amounts to 64,000,000; thus establishing the fact, that the United States has five newspapers for its population in proportion to one in the British Isles. France establishes equally well this important fact, the bad effect of our stamp duties in preventing the circulation of newspapers. There are four daily newspapers in Paris, the circulation of which amounts to 50,000, and the total daily newspaper circulation in Paris is estimated at 80,000, while the circulation of papers in London averages only 36,000. Yet in this country, according to the calculation of Mr. Colquhoun, there were in 1812, 123,000 heads of families, with an income of 800*l.* per year, a number now probably amounting to at least 140,000; double or treble what exist in France or the United States. It would be also most desirable that the duty upon advertisements should be reduced, it is at present a most unequal tax, for the same duty, namely 3*s.* 6*d.* is charged on an advertisement of one line or of fifty lines. This tax is a great obstruction in the way of advertising. Undoubtedly hon. Members who have a double number of *The Times* laid upon their table in the morning, may be led to imagine, from seeing the crowd of advertisements in that immense sheet, that no such obstruction exists; but I would merely refer them to the United States, to show how much more advertising is resorted to where no duty upon advertisements exists. It appears from a statement upon which I feel disposed to place the fullest reliance, that the yearly number of advertisements in the United States amounts to 10,000,000, while the total number of advertisements in the United Kingdom only amounts to 963,000, or about one-tenth of the number that is published in the United States. We have but to look to the walls of this metropolis to be convinced, that no indisposition exists on the part of the people here to advertise, and to perceive that the check upon their doing so consists in this duty. I should, therefore, be for reducing the duty, as I am sure its reduction would encourage advertising, and increase the revenue. I have read a letter on this subject from the able and intelligent editor of the *Scotsman*, an Edinburgh paper; and I quite concur with the writer in his views. I would recommend the perusal of that letter to the right hon. Gentleman opposite (the Chancellor of the Exchequer). I have examined the statements which he makes, and I find no flaw in them. He proves, I think, incontrovertibly, that the reduction of the duty on advertisements would increase the revenue, and that if the duty were lowered upon newspapers to one penny, we should have newspapers sold for twopence-halfpenny instead of sevenpence, as at present. I am for removing all obstructions against the diffusion of knowledge, intelligence, and useful information.

Sir, I have now endeavoured, very imperfectly I fear, to bring the system of taxation, of which I complain, before the House. I have attempted, in the first place, to point out such taxes as appear to me to be worthy of consideration, for the purpose of effecting their entire repeal. I trust that I have been able to show to the House, that the amount which they yield to the Treasury is far from compensating for the charge of their collection, for the barriers which they oppose to improvement, and for the injury they inflict on the industry of the country, and the fair increase of that class of manufacturing skill on which they press. At the same time, I am far from proposing to lop off even such an amount of revenue as they constitute,—as I have said, about 2,600,000*l.*,—at once, without that deficiency being supplied, either by reduction of expenditure, by the removal of some improper bounties, or by the substitution of some other impost. But still I desire that the subject should be fully considered; that the nature of these taxes should be narrowly inquired into, in order that they may be gradually removed as we are in a condition to do without them, or to obtain their amount from sources of taxation less injurious to the community. Such an inquiry surely is deserving of the attention of a Committee of this House. But should there exist any doubt upon this point, it appears to me that there can be none as to the second branch of my subject; namely, the propriety of reviewing the duties upon the great articles of consumption which I have enumerated, in order to ascertain whether their present state does not defeat the very object you had in imposing them; and whether, by reducing their scale, you may not even augment your revenue, at the same time that you relieve the burthens of the people. I have been obliged to trouble the House very much at length on these branches of revenue; but I trust that I shall be forgiven, when I remind them that each of the articles to which I have been obliged to refer them, furnishes the most apt illustration of the principle for which I contend, in both its bearings. Each of these articles to which I am now anxious to apply my principle has already put it to the test. In each we have seen, that an increase of duty beyond the bounds of moderation, has invariably produced a diminished consumption, and a but slightly augmented revenue; that, on the contrary, a diminution of duty has greatly increased the consumption, and has been attended seldom with any considerable falling-off, frequently with even an increase of revenue. Am I not justified, then, in maintaining that this would be the consequence now? Am I not authorized to hope, that what has been shown by experience always to follow, would now also ensue? But above all, have I not a right to call upon this House to inquire into the case, and to apply the principle, if it be satisfied of its correctness? That it would satisfy them that it is in their power to afford substantial relief to the people, with but little injury to the revenue,—I entertain not the slightest doubt. I hold in my hand a scale of future duties and consumption, which I have submitted to many who are best acquainted with this subject, and who agree in believing that I have rather underrated both the revenue and the probable consumption;—and yet, by adopting the duties I propose,—gradually of course,—a relief might be afforded to the people of between 6,000,000*l.* and 7,000,000*l.*, at the cost of less than 1,000,000*l.* to the Exchequer. If, then, we have it in our power, by the reduction of duties, to yield relief to the people with perfect security, and without doing more than a temporary injury to the revenue; I do not think it possible for any man to object to our adopting such a line of conduct. Undoubtedly, Sir, I am not aware of the course which his Majesty's Ministers intend to pursue upon this subject I have already disavowed any hostile intentions, or any but the most friendly feelings to them, in bringing it forward. In proposing that the whole taxation of the country should be taken into consideration by a Select Committee, as was done in the year 1783, and as was the intention of the Finance Committee, as I think is manifested in their fourth report,—I protest that I am actuated by no want of confidence in his Majesty's advisers. My object, Sir, is far different; it is to arm them with greater power to do good, and to assist them in the praiseworthy object which they have already commenced, of reducing the burthens which press upon the people. My object, in short, on this subject is, to give them that power which they cannot exercise effectually, as I conceive, without the assistance of a committee. Sir, I am not sanguine enough to expect that the alterations which I have taken the liberty of proposing, can be made without producing some deficiency in the revenue in the earlier stages of their operation; a temporary deficiency, and temporary is all that it could be, might perhaps occur during the first year of reductions, and for this some expedient would be requisite. Supported by a committee, and carrying into execution its recommendation, the Government might fairly ask from Parliament a vote of credit for this purpose; and that, permit me to say, with much greater confidence, than if they were acting merely upon their own responsibility. There is another reason which I consider to be a justification for asking to go into this committee, and which induces me to prefer this course. There are a great variety of interests deeply concerned in this subject; all of which may be fully heard in the committee, and their different claims impartially decided on. We should have an opportunity, amongst other things, of examining into the extent of smuggling, and into the various frauds on the revenue, occasioned by the imposition of high duties,—subjects which could be brought before a committee with a chance of obtaining a much fuller investigation than they could by any possibility obtain from the members of Government, who are necessarily engaged with many other various and important occupations. Whatever the determination of Government may be upon this Motion, Sir, I trust that the tone and temper of my observations may make them sensible that I am only desirous to carry that object which they and I equally profess to have at heart —I mean, the reduction of such duties as press most heavily on the productive industry of the country. What the determination of his Majesty's Government may be on this subject, I repeat, I shall not presume to augur; but I trust that, be the decision of the Government what it may, the House will support me in the Motion which I have made for nominating a committee for the purpose of inquiring into this subject, and of having it laid open before them. In calling for an inquiry into the system of taxation, I appeal for support to those, who, on a late occasion, voted for the hon. Baronet's proposal for a committee to inquire into the extent and causes of the national distress, and to report whether any and what remedies could be applied for its relief. I offer them here a Motion which goes practically to the object which they had in view. In this committee they will have an opportunity, which they ought not to lose, of gaining that information for which they have recently expressed such strong anxiety. I appeal also for support to those hon. Members who opposed that proposition, conceiving that it was too vague and general in its terms, and that no good could be derived from acceding to it. Here they have a definitive proposition—here they have a Motion for inquiry into a specific object for the relief of the people. I appeal likewise, Sir, for support to all those, who, in the course of the present Session have presented petitions from the people, complaining of the severe distress under which they are suffering. Here they will see a prospect, at least, of affording their constituents that relief to a great extent, without doing any injury to the revenue; and I cannot conceive how those hon. Members can face their constituents, who are daily sending up complaints of the severity of taxation, and calling for some alteration in the mode of collecting it, if they refuse to enter into an inquiry, out of which no harm can come, and from which some good perhaps may arise. On the one side, if you grant this inquiry, you prove to the people that you are anxious to alleviate their distress, by affording them the articles most necessary to their subsistence and comfort at a cheap rate,—to the country, that you desire to afford this relief, but at the same time to meet the claims of the national creditor, and to preserve inviolate the public faith,—and to the world you will present the spectacle of a legislative body fulfilling its highest duty, occupied in the attentive consideration of the interests of those from whom it derives its power, and anxiously endeavouring to remodel its system so as to meet the necessities of this situation. On the other hand, if you refuse this inquiry, it can only be for reasons which I can scarcely conceive; you can only do so under the notion that Parliament is incompetent to conduct it; and allow me to say, in doing so, you will abandon the most important portion of your duty, and send the people discontented and dissatisfied away. For these reasons, and upon these grounds, I put my Motion with confidence into the hands of the Speaker, gratefully thanking the House once more for the indulgent attention with which it has listened to my observations. I beg leave to move, Sir, that "a Select Committee be appointed to inquire into the expediency of making a Revision of the Taxes, so that the means of paying the sums voted by the House, and all other charges for the public service, may be provided for with as little injury as practicable to the industry and improvement of the country."

Colonel *Davies*, in very few words, seconded the Motion.

The *Chancellor of the Exchequer* said, that although there were several of the general principles laid down by the hon. Member for Dover in which he was most happy to concur, and although he thought it next to impossible not to concur in the principle with which the hon. Member concluded — that it was expedient "to make a revision of the taxes, so that the means of paying the sums voted by the House, and all other charges for the public service, may be provided with as little injury as practicable to the industry and improvement of the country"—yet, notwithstanding that concurrence in the sentiments of the hon. Member, and in part of his Motion, he felt it his duty to give his resistance to the Motion itself. He did so, not from any disrespect to the hon. Member—not from any want of a kindly feeling similar to that which the hon. Member had expressed towards the Government, but from a conviction that if he were to accede to the Motion, he should not consult either the interests of the country, or the character of his Majesty's Government. He repeated, that with the principles which had been laid down by the hon. Member, he cordially concurred; he thought that it was advisable for the Government and the Parliament to raise the revenue with the least injury to the interests, and the least obstacle to the improvement of the country. That was one of the first objects, not only of this, but of every other Government. When a government had to deal with taxation to the great amount of that which was imposed upon this country, it was its duty to look upon it regularly, constantly, and without interruption, in order that it might avail itself of every practical opportunity to relieve the people from their load, and give them relief, if that could be effected by the occasional variation of taxation. In such a country, however, as ours, the wish to relieve the country from its burthens was not the only guide which it behoved the Government to follow. It must have regard not only to the interests, but also to the good faith and honour of the country. He did not mean to deny that some of our taxes were open to the objections which the hon. member for Dover had urged against them. We had been driven by the pressure of the war in which we had been so long engaged, to impose many taxes, which in ordinary times we should have refused to adopt. We had been obliged to do so more from a necessity of raising a certain amount of revenue within the year than from any regard to the nature of the impost itself. But we had not merely raised those taxes; we had done more,—we had mortgaged them to the public creditor, and therefore we had an imperative duty imposed upon us to take care that they should not be so modified as to shake the basis of his security, and to weaken the strength of public credit. He must inform the hon. Member that the process of modifying and repealing taxes was neither so easy nor so simple as he appeared to imagine. The difficulty of modifying them arose from the number of the different branches of trade and manufactures with which they were connected, and was enhanced in many cases by the period of their continuance and duration. In pointing out the source of this difficulty, he was anxious that the House should entertain no doubt that the Members of his Majesty's Government conceived it to be their duty to take this subject frequently into consideration, and that they performed that duty faithfully, by revising from time to time every branch of taxation, in order to ascertain how each might be levied with the least injury to the community. Whilst he stated this, he must resist the Motion of the hon. Member to refer the performance of the duty of Government to a select committee of that House, not so much for any personal or political reasons, as because he believed that great inconvenience would result to the public from consigning to the consideration of a committee all the various topics to which the hon. Member had referred, and from calling upon the Members of it to pronounce on the amount of our taxation, to decide how far it admitted of repeal or modification, and to declare how far, in their opinion, ultimate compensation would be made for any immediate loss which might accrue from such repeal or modification. He would ask the hon. member for Dover, how he would recommend this committee to proceed in its labours. The hon. Member seemed to think, that the committee ought to have individuals belonging to the different trades to which certain objectionable taxes applied, brought before it, and examined upon the subject. The hon. Member would enter into an inquiry as to the propriety of the taxation imposed on tea, sugar, tobacco, sea-borne coal, brandy, foreign spirits, printed calicoes, and a variety of other articles which he enumerated, and would hear all the arguments of the various persons engaged in the trades to which those articles belonged, in order to induce the committee to take up the views which he, or which they, might have adopted. Could any man in his senses entertain a doubt as to what would be the result of such a proceeding? Could any man pretend to impose a limit upon the anxiety which the appointment of such a committee would spread throughout the country? Was there a trade, to which any of these taxes applied, that would not be thrown into a complete state of stagnation, by the idea that the modification of them might probably lead to the ruin of those who speculated erroneously respecting that modification? He believed that during such a state of uncertainty all prudent men would abstain altogether from speculation. Undoubtedly there might be some men during such an emergency, who, by their superior means of information might so control their operations as to make them necessarily lead to profit: but there would be as certainly others, who, by having less information, must, if they speculated at all, bring upon themselves heavy and irretrievable ruin. This would be the inevitable consequence of throwing into a committee the whole taxation of the country, with the preliminary notice that it was the intention of that committee to modify or repeal the taxes, and by such modification or repeal to affect all its various interests of trade and manufactures. The hon. Member for Dover would also be exposed to another difficulty in his committee. A variety of parties would demand to be heard before it, anxious (not to produce the object which the hon. Member for Dover had at heart,—namely, the promotion of correct views—but) to produce certain impressions on the public mind in order to profit by them, converting the committee into an instrument for promoting the interests of one class of individuals, and for opposing the progress of another class, consisting perhaps of rival manufacturers. On this subject he was enabled to speak with confidence from personal knowledge and experience. There never was any answer which he gave to any question unexpectedly asked of him in that House,—there never was any observation on the subject of trade which casually fell from his lips in the course of debate, which did not very soon revert back upon him. If hon. Members would not give him credit for that assertion, he would merely ask them to recollect how often in the course of this Session, when there was no idea that Government was going to make those reductions which it had since declared its readiness to make, he had been called upon, first by the noble Member for Cambridgeshire, and afterwards by his hon. friend, the Member for Staffordshire, to declare what taxes it was his intention to take off the shoulders of the people. They had told him over and over again that the course of Government should be frank and open; that it should declare its intentions respecting the Malt and Beer duties; that in consequence of its silence the trade in malt and the trade in beer were both at a stand, and that all the dealers in them had limited their operations until the time should come when their suspense as to the intentions of Government would be terminated. If such were the evils which attended the silence of the Chancellor of the Exchequer in Parliament, or which occasionally arose from his casual and unguarded observations, how could it be supposed that the appointment of such a committee as that for which the hon. Member moved would be accompanied by less evil to the mercantile interests of the country or less injury to the prosperity of the community at large? There was also another difficulty in the course proposed by the hon. Member. He had told the House in detail the taxes which he was desirous to modify or to repeal. He had not, however, intimated the course by which he proposed to supply the deficiency in the Revenue which such repeal or modification would occasion. He had argued,—and beyond all question he had conducted his argument with paramount ability—he had argued, that in the repeal of many of the taxes which he had enumerated there would be no danger of creating a deficiency; "Because," said he, "reduce your duty one-half in one case, one-fourth in another, and one-half again in a third, and the increase of consumption which your reduction of duty will create, will compensate you for the loss of your high duty." But he would take the liberty of reminding the hon. Member for Dover that he was dealing with no less an amount of revenue than 16,000,000*l.*—that he was making a most hazardous experiment on a most delicate subject—and that before he, or any Chancellor of the Exchequer could make up his mind to try such an experiment in a committee, or to bind himself, as he should do by assenting to the Motion for its appointment, to pursue the course which that committee might recommend, he must have distinctly placed before him the course by which that committee proposed to make good any deficiency in the revenue, and to maintain the public credit on a secure basis. He had heard, with some surprise, the hon. Member's declaration that the deficiency was to be made up by extending to landed property certain taxes which at present applied only to personal property. From that source the hon.

Member, however, only expected to realize 1,500,000*l.*, when according to his own estimate of the taxes to be repealed or modified, there would be a deficiency of 2,600,000*l.* For his part he must confess that he was not enamoured of such a plan; but if he had heard the speech of the hon. Member aright, he had proposed a still more objectionable course as a mode of making good the deficiency which he meant to create. He had heard, with regret, the very dangerous doctrine which the hon. Member had that night propounded. He proposed, first of all, to repeal a large portion of the revenue of the country, specifically applied to the funds set aside for the payment of the national creditor; and he proposed, in the next instance, to supply that portion of the revenue by nothing less than an annual vote of credit. Whatever objection he might have to the other scheme of the hon. Member, he must say, that it was with unutterable surprise and indescribable regret that he had heard the hon. Member, after all the declarations of the House that we ought not to borrow money in time of peace, nor augment the debt contracted in time of war, propose that we should recur to such a course of proceeding as an annual vote of credit; and that we should, for a temporary object of doubtful propriety, add to the permanent debt of the country. Would the hon. Member venture to tell him that this scheme of his would only be a temporary measure? Would he venture to tell him that there were not other taxes open to the same summary mode of argument with that which he had adopted? And would he venture to promise that no hon. Member would hereafter propose to make up the deficiency occasioned by its repeal by the same notable expedient which he recommended? To take the subject in another point of view, he asked whether there was anything in the conduct of his Majesty's present Ministers with respect to taxation, which rendered it imperative upon the House to take the duty of revising it out of their hands, and of imposing it upon those of a committee? Had they betrayed any indisposition to consider either the interests or the improvements of the people committed to their charge? Had they exhibited any reluctance to remove such taxes as pressed most heavily on the productive industry of the lower classes?—or had they not been most forward in commencing that course which the hon. Member for Dover recommended, by selecting for repeal those taxes which, in the opinion of the House, were as prominently marked out for reduction as any of those to which the hon. Member had himself alluded. So far had they been from stopping short in their career, that they had absolutely been taxed with going further in their reductions than sound discretion warranted, and with hazarding too large a portion of the revenue, considering the claims of the public creditor. So far were Ministers from feeling that they had neglected their duty on this head, that he, as one of them, was prepared to plead "not guilty" to the charge. He was even prepared to do more than plead "not guilty"—he was prepared to say that that plea admitted of proof as clear as the sun at noon-day. He contended that there was not even a shadow of pretence for saying that Ministers had neglected this part of their duty. If they had not gone further than they had done in the revision of taxation, it was because they would not face that danger which the hon. Member was prepared to face—he meant an addition to the debt in time of peace. He had occasion, when he addressed the House at some length upon a former night, to state that Government had gone further into the revision of taxation than was yet apparent, and that they had considered very anxiously how far it was practicable to relieve the country from the old by the imposition of new taxes. He had stated, that after the best consideration which Ministers could give to the subject, they had resolved upon pursuing the course which he had explained fully to the House on a former evening. All that he had heard and learned since that time of the state of the country, tended to convince him that the Government had then adopted a wise and prudent resolution; that it had done as much, if not more, than could be rationally expected for the relief of the country, and that it ought not, by any rash experiments of reduction, to endanger the principle of extending further relief to the country when opportunity offered, and of modifying the taxes which pressed most heavily on its energies and its industry. Feeling, then, that Ministers had given relief to the country to a great extent, and that they had not neglected their duty in the revision of taxes, he could not consent to abandon his own proper functions as Chancellor of the Exchequer, nor to appoint the committee which the hon. Member for Dover had recommended. The hon. Member, in justification of the present Motion, had referred to the conduct of other administrations, and particularly to the conduct of that administration of which Mr. Pitt was the animating soul. He did not exactly know to what part of Mr. Pitt's conduct it was that the hon. Member alluded. He admitted that, after the first pressure of the American war on the people of this country was over, Mr. Pitt had made a commutation of taxes for very different purposes from those contemplated by the hon. Member. But did Mr. Pitt, in making that commutation endanger the whole revenue of the empire? Did he take off the whole mass of our taxation, and trust to make good the deficiency so created in the revenue by an annual vote of credit? No. Mr. Pitt's first care was, to raise the taxation of the country until he had re-established its credit. Then, when he had effected that great object, he turned his attention to the relief of those classes of his countrymen who were labouring most under a load of suffering; and, after that, he pursued a course of a very different character from that which the hon. member for Dover represented him to have pursued, and which he was himself ready to advise. Mr. Pitt recommended the appointment of a committee to inquire how far the expenditure of the country could be reduced, and how far the revenue could be collected at a less expense; and the whole of his conduct deserved imitation, because it applied a severe and rigid economy to every public establishment, and preserved that amount of revenue which was necessary to the maintenance of the public faith. He forbore adverting to the numerous topics which the hon. Member had embraced in his speech. To go through them in detail would occupy a much longer time than he felt justified in bestowing upon them. For the discussion of some of them a fitter opportunity than the present would soon be given,—for instance, the Stamp-duties. He should have to submit an alteration of those duties to the House on a future occasion, and then it would be competent for the hon. Member to bring forward his proposition respecting them, which would be better discussed then than it could be now. As to the objections to various of the duties impugned by the hon. Member, founded on the inconvenient and expensive interference of the Excise, it was unnecessary for him to enter upon them at present. He should not contest with the hon. Member the inconvenience attending the collection of the Excise duties. He was himself fully sensible of them, and in repealing entirely a certain portion of them,—a measure which he had recently recommended,—he had shown that he was then actuated by a feeling of their inconvenience. That inconvenience he still acknowledged. Nevertheless, he must be permitted to proceed firmly, but cautiously, in his system for their reform. To him that system, faulty as it might appear to some, appeared much better than the plan of flinging the whole system of our taxation upon a committee, which would inevitably excite an universal agitation throughout the country, which would create, as a necessary consequence, a total stagnation of trade during its continuance, and to grant which would be on his part, as long as the committee existed, a complete abdication of his duties as a Minister of Finance. For these reasons he should give his decided opposition to the Motion of the hon. Member.

Mr. *Bankes* did not consider the course of Government to have gone far enough, and therefore declared his intention of supporting this motion for a Committee, as he was anxious to open the whole subject of the taxation of the country. The taxation of the country was the main cause of its distress, and though he differed from many of the positions laid down by the hon. member for Dover, he had no objection to submit the whole of it to the examination of a committee. Why any objection should be made to its appointment he could not conceive; for it ought not to be forgotten, that if the Finance Committee had been permitted to sit another year, it would have taken this very subject into consideration. The right hon Gentleman had admitted that a commutation of taxes had at one time been under the consideration of his Majesty's Government. He was sorry, as such had been the case, that some commutation had not been adopted. He thought that there was no better mode of relieving the distress of the country than by commuting the taxes which pressed on the lower, for taxes which affected the richer classes of society. He conjured the House to lose no time in making that commutation, as the distress was urgent, and might be beyond relief if it were not speedily alleviated. He had heard it represented that our exports at the present moment were greater than at any former period. If that fact were true, it was evident that there must be something rotten at heart, when it existed in conjunction with the extreme distress which was admitted to pervade the country.

Mr. *Robinson* said, he meant to vote for the Motion, though he did not concur in all the views of the hon. member for Dover. He rose principally, however, to state a fact which would show that the hon. Member had not made an accurate estimate of our exports to France and Portugal respectively. It appeared that during the last period for which the official returns were made out, the British and Irish exports to Portugal amounted to 2,506,755*l.*, whilst those to France amounted to only 414,396*l.*, making, with the exports to her colonies, which amounted to 132,535*l.* only 546,931*l.*

Mr. *Maberly* was surprised that Government should object to the Motion of the hon. member for Dover on account of its general nature, when they had consented to the appointment of the Finance Committee, the objects of which were of a much more general character. There was one point upon which he could not concur with the hon. Mover,—namely, granting the Government a vote of credit to meet any deficiencies; nor could he concur in the recommendation of the hon. member for Dorsetshire to impose a property-tax in time of peace. As to the professions of the right hon. Gentleman, that it was his wish to reduce Taxation, he believed that not one farthing would have been taken off had not the House insisted on it; and he further believed that if the House would look close after the Estimates, that it might compel the right hon. Gentleman to make still further reductions.

Mr. *Baring* next addressed the House, but was heard very indistinctly. As far as we could collect, he expressed himself as follows:—He believed that the country would experience no material relief from a change of the system of taxation. He did not mean to deny that the reduction of taxation upon particular articles would increase the consumption of them. He was desirous of seeing an experiment of that nature tried, but unfortunately the recent measures of Ministers had rendered that impossible. He could not avoid declaring, however, that in his opinion, the House of Commons had never lent its sanction to a more profligate arrangement than that which left the country without a sixpence of surplus revenue. The hon. Mover who proposed to reduce taxation to the extent which he had stated in his speech, contented himself with merely hinting at the ways and means which he would substitute for them. In fact, the only suggestion he had offered upon this point was borrowed from Mr. Humphreys, namely, the imposition of a legacy duty on land, which he was sure would not find favour in that House. It was an odious and improper tax. It would render it necessary that the property of every Gentleman should be valued after his death. He thought that the question of a Property-tax ought to be fairly met. His own opinion was, that a Property-tax should never be imposed in this or any other country, except to meet the emergencies of war; it was a most oppressive and inquisitorial tax, and in time of peace, therefore, it ought on no account to be had recourse to. If a Property-tax should be imposed, it would be necessary to except from its operation all capital employed in industry. With the small profits which were at present obtained from capital, it was impossible that any man should embark in any enterprise, with the Government for a partner, to the extent of ten per cent in the profits without any liability to loss. It was true that this had been endured during war; but at that period the whole system was a bubble from beginning to end, and we were now paying dearly for it. Then, if the exception he had mentioned were made, great part of the property of the country would escape the operation of the tax, because its owners would immediately employ it in commercial transactions. So far from inducing people to live in this country, he believed that a Property-tax would create ten absentees for one now existing. It appeared to him that the hon. Mover was completely mistaken in supposing that a partial reduction of taxation would enable the Government to get rid of the machinery by which the revenue was collected. The hon. Member said, that by reducing the import duties one-half, we might get rid at once of the Coast Blockade. He believed that a reduction of duty to that extent would not enable Government to dismiss a single man from the preventive service. In conclusion, the hon. Member repeated his wish that Government had retained a surplus of revenue, in order to enable it to make some experiments as to the possibility of increasing the consumption of certain articles by the reduction of the taxes at present imposed on them, and thus benefitting the public without injury to the revenue.

Mr. *E. Denison* supported the Motion.

General *Gascoyne* expressed his determination to oppose the Motion, and said, he was certainly astonished at the quarter in which it had originated, as well as the conduct of those by whom it was supported. He would say, that if his Majesty's Ministers were this night overpowered by a majority, they would be obliged to come down to the House and propose a Property-tax. The very Gentlemen who Session after Session opposed the Property-tax in every possible shape, and who were most anxious that it should be repealed, were now, with singular inconsistency, supporting a Motion which would lead to its re-enactment.

Mr. *Warburton* said, that under ordinary circumstances he would have been content if the question of taxation had remained in the hands of his Majesty's Ministers; but observing what they had done, and feeling that it was necessary that one or the other side of the House should call for measures that would equalize the income and the expenditure, he should certainly vote for this Motion. The gallant General who had just spoken complained of a Property-tax as one that would reduce considerably the income of the landed proprietor. But the other right hon. Member for Liverpool (Mr. Huskisson) had very properly said, the other night, that the great fault of the present system of taxation was, that it rested too heavily on the industrious classes. If that were so, what could be fairer than that the landed proprietor should be called on to alleviate that pressure by sacrificing a portion of his income? It was said, that if this committee were appointed, the necessary consequence must be the establishment of a Property-tax. Now this he looked upon to be a premature assumption. It would be the duty of that committee to look to the various sources of revenue, and to inquire whether, by judicious management, the amount now derived from them might not be increased so as to meet the expenditure of the country. If they found that they could not effect that object by an alteration in the existing system, then, and then only, it would be right for them to resort to the measure of which the gallant General had spoken. The hon. Member then proceeded to state that there were many articles, and amongst them timber, from which a much larger revenue might be raised than they produced at present. If, for instance, the duty on timber imported from the Baltic were placed on a level with the duty of timber imported from Canada, there would be a gain to the country of 1,500,000*l.* a year.

Lord *Althorp* observed, that if the Committee of Finance had been allowed to proceed with its labours, there would have been no necessity for the present Motion; because that committee, in its different reports, would have taken a systematic view of all the taxes of the country, and laid down principles by which the House might be guided in future. The absence of such great leading principles had led to this result,—that the taxes taken off were not those which were best calculated to relieve the productive industry of the country. He was of opinion that the system of timber duties was most impolitic; and on that point he entirely coincided with the hon. Member who had just spoken. They had the effect of encouraging the use of the worst timber, seeing that a very heavy duty was laid on the best. With respect also to the wine duties, they might be rendered more beneficial to the revenue; because there could be no question that if the duties on French wines were lessened, the consumption of those wines would be increased. It was quite clear that the heavy tax on French wines prevented them from being brought into general use. It had been said that if this committee were granted, a Property-tax would, as a matter of course, be recommended. But that was not at all a necessary consequence. It certainly might be the result of the appointment of the committee; but it would not by any means be a necessary consequence of an acquiescence in the Motion. Much had been said about a Property-tax, and he believed that on that point he differed considerably from his friends about him. Still he had no hesitation in saying, that, to grant relief to the productive population by a reduction of taxes, and to impose a property-tax to meet the deficiency thus occasioned, would be a very good measure. That was his own individual opinion. The gallant General might perhaps say, that his present opinions were inconsistent with his former opinion; and he would admit that it might seem to many that he was inconsistent. But the country was now in a situation very different from that in which it was formerly placed; and he would say to the land-owner, that if a Property-tax of ten per cent were imposed, he would be the gainer: because he thought that the land-owner, in consequence of the existing distress, and the large sums which he was obliged to advance for the maintenance of the poor, lost considerably more than ten per cent on his rents. He was perfectly convinced, that it was the ill-arranged state of the taxes, more than the amount of the taxes, that pressed heavily on the country. It was said, "if you grant this committee, it will be an abdication, by the House, of its functions." Now, when the right hon. Gentleman rose to make his financial statement, he had hoped that the right hon. Gentleman would have gone into a general inquiry with reference to the taxation of the country, which would have rendered the present proceeding unnecessary. But that was not the case. He had heard nothing from the right hon. Gentleman opposite, to satisfy his mind on that subject, and therefore he should support the Motion for a Committee of Inquiry.

Mr. *Herries* said, that in his opinion, the Motion had a two-fold, nay, he might assert, a three-fold object. It went first to effect a certain specific reduction of taxation. It next embraced an inquisition into the whole state of the taxation of this country,—an inquisition to be carried on in a committee which the hon. member for Dover proposed, and of which he, of course, if the Motion were agreed to, would be at the head. In addition to this, as had been stated by almost every Gentleman who had spoken on the Question, it might be expected that the committee would consider a proposition for a Property-tax, in substitution of many taxes which the hon. Member was of opinion ought to be repealed. Now, speaking of the hon. Gentleman's budget, he must say that it was particularly unfortunate. Unquestionably it was not received, even by the hon. Gentlemen who supported the Motion, with any thing like the favour that was shown to his right hon. friend, when on a former evening he made his financial statement. The hon. member for Callington called the proposition of the hon. Mover a profligate proposal, and the hon. member for Dorsetshire took the earliest opportunity of reprobating this extraordinary budget. For his own part, he would ask, what could be a more preposterous, what a more miserable expedient, than the raising of successive loans by votes of credit? The hon. Member said, only one vote; but he would say, successive votes of credit; because, if they once took that course, they would, of necessity, be compelled to pursue it. He must, on the grounds stated by his right hon. friend, object to the policy of such a committee as that which was now proposed. For his own part, he conceived that no benefit could result from a committee in which, as it would embrace an investigation into the whole taxation of the country, such an infinite variety of details must be considered. He was certain, also, that if a committee were appointed, with the extensive powers now called for, it would absolutely put a stop to trade. While it was known that taxes affecting this or that branch of manufacture were under the consideration of the committee, individuals who were interested in their decision would be deterred from going on in their regular course. In confirmation of this he would mention, that a deputation had waited on him that day from a particular trade, suggesting the propriety of reducing the duty on the article in which they principally dealt, but the members of the deputation most earnestly entreated Government, if it assented to the proposition, to keep the matter a profound secret, or otherwise the whole trade might be suspended. The conduct of Government always had been, to keep as secret as possible any intended alteration in the taxes. The reason was very obvious; because, if an idea of their intention went abroad, it was sure to give rise to speculation. Now it did appear to him, that the labours of a committee, invested with the extensive powers of that now called for, would lead to that result, and therefore for that, amongst many other reasons, ought not to be granted.

Sir *H. Parnell* was of opinion, that the appointment of such a committee as that which was now proposed would be productive of much good. If the Finance Committee had been allowed to proceed with its labours, there would not have been, in his opinion, any necessity for this Motion: that committee would, as it appeared to him, have investigated those points which the hon. member for Dover embraced in his Motion. As he expected that the committee would have resumed its labours, he had in the recess turned his attention to the subject of taxes, and he had drawn up some observations relative to the revision of taxation, which he meant to have laid before the committee. This fact must prove to the House that his impression at least was, that the committee was intended to take that subject into consideration. He was very much surprised to hear the hon. member for Callington state that there was no necessity for an alteration in taxation. To prove that there was, he need only refer to the rapid improvement which was visible amongst the manufacturers of the Netherlands. An inquiry into the state of taxation was, in his opinion, most desirable. A useful object of the committee might be the classifying of taxes,—showing such as were the best and such as were most objectionable. It was from the want of such a classification, since 1815, that the repeal of taxes had been a series of errors. Although he should have no objection to a modified Property tax, yet he was of opinion that a reduction of taxes to the amount of 2,300,000*l.* might be made without creating a necessity to impose a Property-tax, with a view of making up the deficiency. The object of the Legislature should be to remove all the obstructions to the operations of industry, and one material obstruction was taxation.

Mr. Secretary *Peel* said, that at that late hour he should address himself to the considerations of paramount importance arising out of the question before the House, and thereby he should disembarrass himself of the details into which the hon. member for Dover had entered. The proposal was,—a proposal made for the first time in Parliament,—that a Select Committee should be appointed for revising and considering the whole system of the taxation of the country. It was something wonderful that it had never occurred before, that the whole power of the Government and of the Parliament should be thus delegated to a select committee of twenty-one. It was a practice founded on good sense, that the House should reserve to itself the power which the hon. Member wished to devolve on a select committee; that the House, possessing ample information upon all the necessary points, should not transfer to any delegated portion of it those powers which a House of Commons ought to exercise of itself. And let it be recollected that the House of Commons had fought the battles of taxation against Ministers upon former occasions without committees. Even in the time of Sir Robert Walpole the Excise tax was rejected by the House without any inquiry in a committee. The Shop-tax, proposed by Mr. Pitt, had been defeated without any committee. In 1807, Lord Henry Petty proposed a duty on iron, which had been defeated in that House. In 1817 the House had defeated the intention of the Government to continue the property-tax; and with respect to this tax, he would advise the House, whether a Property-tax were desirable or not, to start fair on the question, and not have it decided in a select committee. He would give no opinion on the expediency of a Property-tax; but he advised Gentlemen in that House, and those of the landed interest especially, to reserve this question to themselves, or at least to throw the responsibility of proposing it upon the Government, and not permit it to screen and shelter itself from responsibility under a select committee. Almost all those who had advocated the appointment of the committee had contemplated a Property-tax as a necessary consequence of it. The hon. member for Dover, indeed, did not (to use a homely phrase) let the cat out of the bag; but he suffered a little kitten to escape, which showed pretty well what the cat would be. He proposed a legacy duty on real property, which, he said, would add 1,500,000*l.* to our present revenue. If there were any Irish Members present, he would beg to advertise them that Ireland had been exempted from the Property-tax; and supposing that there should be a fair proportion of Irish Members in the committee of twenty-one, Irish Members would perform their duty to their constituents by rejecting the proposal of a Property-tax, leaving such a proposal to the Government. He (Mr. Peel) could not conceive how a Parliamentary committee could discharge the duties which the hon. Member proposed to impose upon it. Was the committee to make a report recommending a remission of taxes in the present Session or in a future Session? If in the present Session, the consequence of that would be, that there would be a second budget, founded, not on the opinions of his Majesty's Government, but of the Select Committee. Hitherto it had been considered that proposals for the imposition of taxes belonged to the Crown, and that it was an encroachment on the privileges of his Majesty's Ministers to interfere in that province. Besides, the committee would not be a committee of secrecy and every Member could divulge what took place there. Witnesses would be shrewd enough to perceive the bias of the committee; the effects which the inquiry would have on trade would be serious; every one connected with trade would be pressing forward to be examined in order to serve his own purposes. The members of this committee of twenty-one would be, in fact, the most powerful men in the House, and their power would *pro tanto* diminish that of every other Member. If the House adopted the Motion of the hon. Member, it would be abandoning to twenty-one of its Members some of its most important functions. On every ground, therefore, he objected to this delegation of functions properly its own; and although the hon. member for Dover disavowed any hostility to Government by his Motion, he must put it to the sense of the House whether his Majesty's Ministers would not be degraded by its being carried. The Chancellor of the Exchequer would be virtually superseded; for, whilst he sat in Downing-street, with powers which were intrusted to him for the public good, much diminished, and with a broken staff of office, a Chancellor of the Exchequer, backed by a select committee, would be exercising his functions within the purlieus of that House. If the intention of the vote were to show a distrust of his Majesty's Government, it should be expressed in a manner less prejudicial to the public interests. The Ministers of the Government should be upheld in the exercise of their just influence and power: it was no longer a Government when, although in possession of place, it was discredited in the estimation of the public. He would ten times rather support the pretensions of the hon. member for Dover to fill the situation of Chancellor of the Exchequer, appointed by the Crown, than consent to remain in office a nominal servant of the Crown, but merely registering the edicts of a select committee.

Mr. *Bright* said, the right hon. Secretary had laid good grounds for the House to reject the Motion. It was the duty of the House to keep this power to itself, and not intrust it to a committee. The House should be jealous of parting with its power in respect to taxation. He never could consent to the imposition of a Property-tax.

Mr. *Huskisson* said, that the only part of the speech of the hon. Member for Dover from which he entirely dissented was the proposal of a vote of credit, or as he understood, successive votes of credit. He agreed with the right hon. President of the Board of Trade (Mr. Herries), that when a first step in this way was taken, no one could tell where it would stop. He could not agree with the right hon. Secretary (Mr. Peel), that if the House supported this Motion, on any view of a subject which was not consistent with the view of the right hon. Gentleman, it would be placing the Government in such a situation that it would be more manly and consistent to declare that the House placed no confidence in his Majesty's Ministers. The Chancellor of the Exchequer had gone further, and stated that it would almost amount to a misprision of treason, or at least a slight on the Government, for any other than the Chancellor of the Exchequer to propose the repeal of a tax. With respect to referring questions of taxation to a committee, without going so far back as Sir Robert Walpole, examples might be found in favour of the practice in recent times. The Salt-duty had been referred to a committee, which was expressly instructed to inquire into the best mode of commuting it. Two different committees had reported on the propriety of taking off the tax on Leather. In these cases, there had been no alarm in the public mind, no change of Government, and no loss of confidence by his Majesty's Ministers. If the House could not refer such subjects to a committee without endangering the safety of the country, it had better give up inquiry altogether. What were the committees on Foreign Trade, and the committee which recommended taking off the prohibition from Foreign Silk manufactures? It was the same with the Bullion, with the Currency, with the 1*l.* notes in 1826;—they were all subjects which were, first of all, investigated in committees. Even that great subject, the Corn question, came before a committee, and one great point submitted to that committee was, whether there should be an entire prohibition of the import of foreign corn, or a tax. Those who were so sanguine as to anticipate a possibility of reducing any of our present taxation, without substituting new taxes instead, would naturally first direct their inquiries with respect to the bearings of the present system, and this could be most effectually accomplished by the appointment of a Select Committee. The hon. Member for Dover had not touched upon the Malt-tax, yet it was not a subject to be overlooked, particularly when they bore in mind that the Excise regulations added at least fifty per cent. in restraint and annoyance to the burthens on the hard-working industry of the country, beyond what they were the means of bringing in to the revenue. It had been said, that to inquire into this was the province of Government, not of a committee; but he asked, in return, for what reason they had selected the leather-tax for repeal? Was it not because the disproportionate relation of loss to the people with gain to the revenue had been already pointed out? The hon. Member for Bridport had alluded to the mode of taxing foreign timber, and he fully concurred in all that he had said as to its impolicy. We certainly increased the employment of our shipping, but it could not be maintained that we promoted the interests of the country. He did not look forward to the repeal of a single tax which had been pointed out, but desired to examine into the proportion between the actual burthen imposed upon the people, and the amount of taxation received into the Exchequer. There was no intention of taking the Budget out of the hands of Government, but this good would at all events result,—the opinions of independent Members as to the practicability of particular reductions would go forth to the public, and must gradually make their way, and be at length forced on the adoption of Ministers, if they should be deemed expedient and feasible on examination by the thinking part of the community. This, he acknowledged, was all the benefit which he contemplated, as he did not expect any further reduction of taxation during the present Session, without the substitution of other taxes instead. With regard to his own imputed squeamishness about the Property-tax, he should only say, that it had been his object only to point out how far the mode of levying such a tax in these times ought to differ from that introduced at the period of the war. He had merely expressed a doubt whether the country would ever right itself without receiving some greater relief than could possibly be administered by a direct repeal of taxation. The method of levying the revenue was a subject fraught with interest to all who desired to see economy practised in the management of the State, and he could see nothing irregular in proposing such an inquiry, more especially at a time when a general impression was entertained throughout every part of the kingdom, that the agricultural and manufacturing interests could not exist under the pressure of the existing direct taxation upon industry. Agriculture was actually represented to be in a state of progressive deterioration, and under such circumstances, they ought not to delay longer if they wished to interpose between the farmer and utter destruction, which it was but too likely might prove the consequence of such delay. Another great source of the pressure of the public burthens was to be traced to prohibitions and restraints on commerce, which equally demanded an attentive consideration. If relief were granted to the operative industry of the country—to the millions of consumers—the landed interest, he felt assured, would at once experience the good effects of the benefit which would accrue from it. In Birmingham alone it was ascertained that the consumption of meat had diminished by one-third, and it was thus made apparent that the market-prices, under the present system, would fall lower than was consistent with the interests of the country, and the maintenance of the revenue. The hon. member for Callington had alluded to the case of France; but the territory of France, it ought to be remembered, was not near so extensive now as during the Revolutionary war,—a war actually occasioned by the heavy taxes which oppressed the people at the time. France, before the revolution, under a military government, could not raise 460,000,000 francs of revenue, and he had no hesitation in saying that an annual deficiency of 60,000,000 francs had been the immediate cause of that revolution. But what was her condition at present? Why she was able to pay a thousand millions. It was his unalterable conviction that we could not uphold the Corn-laws now in existence, together with the taxation, and increase the national prosperity, or preserve public contentment. That these laws could be repealed without affecting the landed interest, whilst the people would be relieved from their distress, he never had any doubt whatever. It was a general feeling that some change must be effected, and that soon; nor were there any persons more thoroughly persuaded of it than those who moved in the humblest walks of life. Whether a Committee of inquiry would be appointed or not, he was gratified that this Motion had been made, as the discussion would, no doubt, attract that attention which the luminous discourse of the hon. Member in itself well deserved, for its vigour of argument, apart from all other considerations suggested by such a subject.

Mr. *Bright* stated, in explanation, that he opposed the Motion because it was, he thought, unconstitutional to refer such a subject to a committee.

Mr. *Peel* explained, that his objection to the Motion arose as well from its being nearly unprecedented in Parliament as because the committee it recommended would be unlimited in its character.

Sir *C. Burrell*, we understood, opposed the Motion, but the few words that he said were lost in the gallery, owing to the noise and confusion in the House.

Mr. *Western* said, he should be reluctantly compelled to vote against the Motion of his hon. friend, on the ground that such a Committee as he recommended would supersede the House of Commons in the exercise of its legitimate and natural functions. Sugar, assessed taxes, stamp duties, were all subjects which the House would have presently to discuss; and he might also add, the Corn question, as it had been announced that it would shortly be brought before them; but on all those important topics they must remain silent and suspend their rightful powers, if they appointed this Committee. He was not favourable to any proposition which went to take so momentous a charge from the responsible hands of Ministers, in order to vest it in an irresponsible body like a committee.

Viscount *Palmerston* said, he should merely, at that late hour, offer a few remarks in explanation of the grounds on which he intended to vote in support of the present Motion. He was the more desirous to do so, as he stood in a peculiar and singular situation, according to the opinion expressed by his right hon. friend, the Secretary for the Home Department. That right hon. Gentleman had observed that no person spoke in favour of the Motion before the House, who did not also profess himself favourable to a Property-tax. He, however, was an exception amongst those who should so vote, as he did not desire to recommend a Property-tax. Nay more, the bias of his mind was against the imposition of such a tax as a substitute for those upon articles of consumption. If it were only to affect the rent of land, it must necessarily be partial and heavy upon those to whose prejudice it operated. If it were imposed on the profits of capital, it would leave the country nearly in the same distress which was prevalent at present. He should support the Motion for a committee under the hope that it might ascertain to what extent the inconvenience attendant on raising the existing taxes could be abated, or whether the system of inquisitorial inspection could not be entirely abolished. It had been justly said, that the taxes on production were ultimately on consumption; but passing by that part of the subject altogether, he thought that the able exposition of the manner of levying taxes at present adopted, which had been made by the hon. member for Dover, ought of itself to induce the House to accede to his proposition. Indeed, the recent statement of the Chancellor of the Exchequer tended much to the same effect, and it was now high time to institute an inquiry for the purpose of deciding whether he had adduced solitary instances of mismanagement in the important matter of taxation. When, he asked, had the inexpediency of the present mode of taxation been revealed to his Majesty's Ministers? If they had been aware of it before, why did they neglect to alter it until the present Session; or did they mean to allege that the discovery and reformation were precisely coincident in point of time? It was but fair to infer that what was true of the Beer and Leather taxes might be true of many others, in which case it was not unlikely that they were now paying 12,000,000*l.* a year, which never went to the support of their national expenses. The noble Lord concluded with deprecating the assumption that those who voted with the hon. member for Dover were necessarily friends to the imposition of a Property-tax.

The *Chancellor of the Exchequer* said, that the relief of 5,000,000*l.* which he had stated would result from the abolition of the Beer-tax, supposing the opening of the trade and the removal of all restrictions as to the sale of Beer.

Lord *Palmerston,* in explanation, said, that was what he meant to imply. The restrictions on the trade were the consequence of the tax.

Mr. *P. Thomson* briefly replied. He complained that those hon. Members who followed him in opposition to his Motion left out of consideration the real merits of what he said, and rested their objections upon inferences as to the object of his Motion which he had never intended to draw. They never stated that his proposal would not prove beneficial, but confined themselves to appealing to the feelings of those who were known to be opposed to a Property-tax, which it formed no part of his plan to propose. It was not his wish to delegate the powers of the House to a Committee. All he asked was for an opportunity to get information on the subject of taxation, which would be useful in directing the House in its future proceedings as to what taxes were best to be continued or repealed.

The House then divided—

For the Motion 78—Against it 167—Majority 89.

List of the Minority.

Anson, Colonel
Benett, J.
Bernal, R.
Bentinck, Lord G.
Burdett, Sir F.
Blandford, Marquis
Birch, J.
Byng, G.
Baring, F.
Blake, Sir F.
Bankes, H.
Carter, J.
Clive, E. B.
Clifton, Lord
Cholmeley, M. J.
Cavendish, H.
Cavendish, C.
Cavendish, W.
Canning, Hon. S.
Calthorpe, Hon. A.

Davies, Colonel
Denison, J. E.
Dennison, W. J.
Duncombe, T.
Dickinson, W.
Ewart, W.
Ebrington, Lord
Fazakerley, J. N.
Fortescue, Hon. G.
Fyler, T. B.
Grant, Hon. C.
Grant, R.
Guise, Sir B. W.
Howick, Lord
Hume, J.
Hobhouse, J. C.
Honywood, P.
Huskisson, rt. hon. W.
Jephson, C. D. O.
Labouchere, H.
Lloyd, Sir E. P.
Lester, B.
Lamb, hon. G.
Littleton, E.
Lumley, J. S.
Lennard, T. B.
Morpeth, Lord
Maberly, J.
Nugent, Lord
O'Grady, Colonel
Price, R.
Parnell, Sir H.
Phillips, G.
Palmerston, Lord
Ponsonby, Hon. G.
Pendarvis, E. W.
Palmer, C. F.
Pallmer, N.
Portman, E. B.
Poyntz, W. S.
Protheroe, E.
Phillimore, Dr.
Russell, Lord J.
Rumbold, C. E.
Rice, T. S.
Robinson, G. R.
Stanley, E.
Stanley, Lord
Smith, V.
Sanderson, Viscount
Townshend, Lord C.
Tomes, J.
Uxbridge, Lord
Villiers, T. H.
Warburton, H.
Wood, C.
Wilson, Sir R.
Webb, Colonel
Wilbraham, G.
Warrender, Sir G.

TELLERS.

Althorp, Lord
Thomson, C. P.

PAIRED OFF

Robarts, A. W.
Marjoribanks, S.
Phillips, Sir G.
Beaumont, T.

HOUSE OF LORDS.

Friday, March 26.

MINUTES.] The Earl of **ROSSLYN** moved that the Standing Order (No. 210) respecting Private Bills for the establishment of Joint-Stock Companies be read.

[The noble Lord said, that certain exceptions had been made in that Order, and he should move on Monday to have them extended to Joint-Stock Companies for making quays or landing places to markets.]

Lord **ALTHORP** brought up from the Commons the Evidence taken on the charge of Bribery against East Retford, which, on the Motion of the Marquis of **SALISBURY**, was Ordered to be Printed.

Sir A. **GRANT** brought up from the Commons a Copy of the Report of the Committee to which had been referred the 18th Report of the Commissioners of Judicial Inquiry, and the Depositions of Sir Jonah Barrington, Judge of the Admiralty Court in Ireland, and certain other Papers relating to the discharge of his judicial duties.—To be Printed.

Sir A. **GRANT** brought up from the Commons the Annual Indemnity Bill—Read a first time.

Petitions Presented. By Lord **KING**, from Bridport, for a Revision of the Criminal Code, with a view to the Abolition of punishment by Death for Forgery. By the same noble Lord from the Anti-Bread-Tax Association at Kidderminster, complaining of the effects of the Corn-laws upon the Poor.

[He believed that the Petitioners somewhat exaggerated the effects of these laws, when they stated that the tax raised by them upon the consumers of bread amounted to 10,500,000*l*.]

By the Earl of **RADNOR**, complaining of Distress, from the county of Denbigh:—By the Earl of **CARNARVON**, to the same effect, from Holywell; and by Earl **STANHOPE** from Heirderwell, in the North Riding of Yorkshire, praying a continuation of the Bounty on Fisheries.

JEWS—PETITION.] The Earl of *Limerick* presented a Petition from a beneficed clergyman of the Church of England, Isaac Nicholson, the Vicar of Great Paxton, Huntingdonshire, praying for the removal of all Civil Disabilities affecting the Jews on account of their religion. Such a Petition, said the noble Lord, was rather singular, coming from such a quarter; but though he did not concur with the Petitioner in his prayer, yet the rev. gentleman was so respectable that he could not but lay it before their Lordships. The Petitioner stated, that the Holy Scriptures were full of prophecies concerning the Jews, and he thought that the time was approaching when many of those prophecies were about to be fulfilled, and he thought the Legislature was bound to do every thing to promote their conversion to Christianity.

FOREIGN FLOUR—PETITION.] The Earl of *Malmesbury*, from Manufacturers of Flour in and near London, praying for better protection against the importation of Foreign Flour. They stated that flour might now be introduced at a much lower rate of duty than foreign corn, and they prayed an alteration of the law in that respect. The noble Earl adverted to a petition presented from Millers on a former occasion, and recently repeated in another place, praying to be allowed to grind foreign wheat in bond for exportation, and hoped that the Government would not permit such an experiment again to be tried, as it would open the door to great frauds.

HOUSE OF COMMONS.

Friday, March 26.

MINUTES.] Returns Ordered. On the Motion of Sir J. **NEWPORT**, for a detailed Account of 4,502*l*. 4*s*. received by the Board of First Fruits in Ireland during the last ten years, as the whole amount of First Fruits in that period, specifying the several benefices and dignities which had paid First Fruits, and the amount received from each: Also, the quantity of Butter exported from Ireland to England during the years 1827, 1828, and 1829, distinguishing the Ports of Export and Import.

Petitions Presented. Against the Renewal of the East India Company's Charter by Mr. **MUNDY**, from Aston, Normanton, and fifteen other places in the county of Derby. By Mr. **LITTLETON**, from the Chamber of Commerce and Manufactories in the Staffordshire Potteries, from Burslem, and from Bilston,

[Places, he said, situated in the midst of a population, which consisted of two hundred thousand persons. He regretted to add that these Petitions complained of great distress, and were accompanied by statements to a similar effect from many parishes in the neighbourhood.]

By the Marquis of BLANDFORD, on the subject of Distress, from the inhabitants of Norton.—To be printed. Against the opening of the Beer Trade, by Mr. LITTLETON, from the Licensed Victuallers of Stafford. By Mr. WESTERN from certain Maltsters in Essex, for Protection against the effects on stock in hand of the intended Repeal of the Duty on Beer. By Mr. DUGDALE, from Owners and Occupiers of Land in the neighbourhood of Alcester, in Warwickshire, praying for a Repeal of the Malt and Beer Taxes.

[The hon. Gentleman took occasion to rectify a mistake which had occurred as to what he had said on the petition lately presented by his colleague from the gun-makers of Birmingham. He had not said that there was no chance of success to the manufacturers when Government kept a million of arms ready for service; but stated that this great supply rendered the maintenance of the Government establishment for further fabrication unnecessary.]

By Sir E. KNATCHBULL from the Hop-Growers in the Weald of Kent, and from Hawkhurst, praying for a Removal of the Duty on Hops. By Sir F. BURDETT, from Gloucestershire against the Truck System.

[The hon. Baronet concurred in the Prayer of the Petition.]

By Mr. HUME from the Kidderminster Anti-Bread-Tax Association, No. 1, for a gradual, within ten years, but total Repeal of the Corn-laws.

REMOVAL OF THE HAYMARKET—ST. JAMES'S PARK.] Lord *Lowther* moved that the Report of the Committee on the Hay-market Removal Bill be brought up, on which

Mr. *Byng* objected, on the part of his constituents, to this Bill, which, to the best of his belief, was only calculated to create inconvenience and expense to a large portion of the inhabitants of Westminster and the neighbourhood of the metropolis. Some farmers would have to carry their hay two miles further to the new market, and all would be put to great additional expense in going back with a return load of manure. No practical inconvenience was felt from the present situation of the market; and as the new market would occasion a great deal of inconvenience, he meant to oppose the Bill at every opportunity. He would not however resist bringing up the Report, as the House was so thinly attended, he being convinced that the Bill was the less likely to succeed in proportion to the number of the Members who should be present at its discussion. He would only add, that it would compel the farmers who supplied that market to keep five or six hundred more horses than at present.

Lord *Lowther* observed in reply, that the unpopularity of the measure was by no means so universal amongst the hon. Member's constituents as he would have the House to believe. On the contrary, he apprehended that the suggestion for a removal was generally received with approbation. The reluctance of a few, even although they might lose by the alteration, ought to give way to the general interests of the public. In fact, if partial objections were not in such cases overlooked, all improvements of any kind whatsoever must be prevented. In Birmingham and Sheffield the respective markets had been removed from the centre to the outskirts of those towns, and the change was found to be in every respect advantageous and satisfactory to the inhabitants. What would be thought if it were now proposed to establish the market in St. James's Square, and yet that was more spacious than the Haymarket? In fact, when the market was first established, St. Martin's was really St. Martin's in the Fields, now it was St. Martin's in the centre of the town, and the situation had become unsuitable to a market. The place whither it was intended to remove this market was not distant more than a mile and a half from the northern districts of the metropolis.

The *Speaker* here interposed, by stating that it was right he should inform the House, before the discussion proceeded farther, that the report of the committee was irregular, not being in accordance with the Standing Order that prescribed the terms in which the Report of a Committee on a private bill ought to be couched. This Report merely set forth that the Standing Orders had been complied with,—that they had heard counsel and made certain amendments, leaving out what was most important,—namely, that "they had examined the allegations in support of the Bill, and found the same to be true." It therefore became necessary that the Report should be recommitted before they could proceed further with the Bill, consistently with the observance of the forms of the House.

Mr. *Byng* remarked, that the promoters

of the Bill had not adduced any evidence whatever in support of it.

Lord *Lowther* moved that the Bill be re-committed, when

Mr. *Hobhouse* expressed his concurrence in what had fallen from the hon. Member for Middlesex with respect to the inconvenience and expense which a great number of persons must sustain in consequence of the removal in contemplation. He should now, however, give notice relative to another subject nearly affecting the convenience and accommodation of the inhabitants of the metropolis—that when the Bill was brought fairly before the House, it was his intention to bring under its consideration the proposed obstruction at the end of Waterloo-place, which precluded the public from entering St. James's-park through the opening, as they had hitherto so naturally expected. They considered the stopping up the passage there as a direct violation of the avowed plan of the Government.

Mr. *Hume* agreed with the hon. Member for Westminster in objecting to this churlish exclusion of the public where there was no adequate reason for disregarding their accommodation. He was further of opinion that the House ought not to pass money votes either for the expenses of the Palace or for any other improvement connected with the Park, till this very reasonable demand should be complied with.

Mr. *Hobhouse* stated, that his only reason for pursuing the course he did was, because it enabled him to take the earliest opportunity of opposing the obstruction, which was particularly desirable, as the workmen were at present actively employed in stopping up the passage in question.

Mr. *Protheroe* entertained a similar opinion as to the general inconvenience and disappointment which would be felt in the metropolis if the noble Lord persisted in refusing so reasonable a request. He wished to see the entrance from Waterloo-place effected by a double flight of steps into the Park.—The Bill recommitted.

CONVERSION OF ANNUITIES—NEW THREE-AND-A-HALF PER CENT STOCK.] On the Motion of the *Chancellor of the Exchequer*, the House resolved itself into a Committee of the 4-per-cent Annuity Acts.

The right hon. Gentleman, when in committee, said, that though the measure he was "about to bring under the consideration of Parliament was, in a financial point of view, of great importance, it would not be necessary for him, in explaining its bearings, to trespass at any length on the attention of the Committee. His object was, to relieve the public burthens, by a reduction of a portion of the public debt. The principle of such a measure was one which needed not in that House any argument by way of justification; for it had been stated by Ministers, long before Mr. Pitt's time, and admitted by those who succeeded him in the management of the finances of the country, that it was the duty of Ministers to take advantage of every opportunity which the state of the public credit afforded of reducing the amount of the national burthens. This principle had been asserted by Mr. Pitt, and would no doubt have been acted upon by him, but for the eventful war, the extent, duration, and consequences of which, it was impossible for him to foresee. It was, however, as he had stated, always kept in view by those who had succeeded him in office, and, since the peace, had been carried into practice by them to the extent of relieving the public burthens annually of about 2,000,000*l.* The period had now arrived for effecting a still further reduction of those burthens, and accordingly he thought it his duty to take advantage of the first fair opportunity for availing himself of it. He proposed, therefore, to effect a further reduction, by the conversion of the new 4-per-cent annuities into a new 3½-per-cent stock. The circumstances of the country were highly favourable to such a conversion, as a moment's consideration of the rate of interest in the money-market, and of the quantity of capital seeking for a profitable outlay, would convince any hon. Member. Capital to a large amount was laid out on mortgages at 4-per-cent interest, and was now offered, within his own knowledge, for 3½-per-cent. When this fact was taken into consideration, and when the peculiar advantages which an investment in the public funds afforded were also borne in mind, the House he was sure would not for a moment refuse its sanction to a conversion of the 4 to 3½-per-cent stock. It could not be objected that the measure would operate as a breach of contract explicit or implied; for the Act under which the new 4-per-cent annuities were created explicitly stated that that rate would be guaranteed for but seven years—that is, that the Act would be in force for only that period; Government being left at liberty, at the expiration of that term, to act towards the holders of that stock as might appear advantageous to the public. Those seven years had expired, for the Act was passed in 1822, and Ministers deemed it their duty to effect the proposed conversion. He felt, therefore, that no further argument was necessary, so far as the principle of his intended measure was concerned. The only question, then, for the Committee was, what were the terms on which he meant to effect the reduction? Those terms would, he persuaded himself, be found conducive to the public advantage. He proposed to give every holder of 100*l.* of the 4-per-cents, created by the Act of 1822, who should not signify his dissent, 100*l.* of a new 3½-per-cent stock, and that 3½-per-cent interest he would guarantee for ten years. He gave this guarantee for so long a period, because he thought that the inducement would be stronger to consent to the conversion he proposed, and he was anxious, on account of its advantages, to make it as extensive as possible. The price at present in the market of the stock he proposed to give was 99½-per-cent exclusive of interest, so that 100*l.* at 3½ was a fair valuation. To those who should express a dissent from these terms, he would give an option of subscribing to a new 5-per-cent stock, not redeemable until the 5th of January, 1873, each holder of 4-per-cents to receive 70*l.* of the 5-per-cent stock for his 100*l.* It might be asked, perhaps, why he had not preferred converting all the 4-per-cents into this 5-per-cent 70*l.* forty-two years stock, as there would accrue a great consequent saving to the public? The answer to the question was contained in the fact, that at least 2-5ths of the holders of the 4-per-cents were trustees of the property of others—that is, persons responsible for the management of property not their own; so that if they were compelled, without option, to take in lieu of every 100*l.* 4-per-cents, 70*l.* 5-per-cents, Parliament would be neither more nor less than legalizing an immoral act, by which, for the sake of temporary advantage, a large amount of trustee property might be deteriorated one-third. It might also be asked why forty-two years had been fixed upon for the intended 5-per-cent 70*l.* stock, instead of that recommended in a pamphlet, in which the subject had been minutely investigated. [The right hon. Gentleman alluded to Mr. Brickwood's pamphlet.] In answer he could say, that it appeared in calculation, that all things considered, 70*l.* at 5-per-cent for forty-two years, was equal to 100*l.* at 3½-per-cent ensured for ten years: and that if the recommendation of the pamphlet had been acted upon, 18,000,000*l.* capital would be sacrificed for 229,000*l.* per annum; and for a 3*s.* reduction of present interest, the possibility of a reduction of 10*s.* in a few years. With this brief explanation of his plan he should proceed to move the Resolutions on which he would found his Bill. He would be happy to afford any hon. Member every further information in his power. He counted on the sanction of the Committee to a Resolution by which the public would save next year 778,000*l.*, and that, too, without at all impairing the means of public credit: on the contrary, its effect would be to add to those means, and thereby to the character and resources of the country. The right hon. Gentleman concluded by moving the following Resolutions:—

"1. That all and every person and persons, bodies politic and corporate, who now is or are, or hereafter may be, interested in, or entitled unto, any part of the National Debt redeemable by law, which now carries an interest after the rate of 4*l.* per Centum per annum, and is usually known by the name of 'New 4*l.* per Cents,' and which were created in the year 1822, payable at the Bank of England, and payable at the Bank of Ireland, and who shall not signify his, her, or their dissent, in the manner hereinafter mentioned, shall, in lieu of every 100*l.* of such New 4*l.* per Centum Annuities, receive and be entitled to the sum of 100*l.* in a new stock, to be called the 'New 3½ per Centum Annuities,' and to carry an interest after the rate of 3*l.* 10*s.* per centum per annum, and so in proportion for any greater or less amount of such 4 per Centum Annuities; and that the dividends on the said 3*l.* 10*s.* per Centum Annuities shall be payable half-yearly at the Bank of England, and at the Bank of Ireland, upon the 5th day of January and the 5th day of July in each and every year; and the first half-yearly dividend on the said New 3*l.* 10*s.* per Centum Annuities shall be payable on the 5th day of January, 1831; and that the said New 3*l.* 10*s.* per Centum Annuities shall not be liable to be paid off until the 5th day of January, 1840.

"2. That the interest and dividends payable in respect of the said New 3*l.* 10*s.* per Centum Annuities, shall be charged and chargeable upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland, in the same manner as the interest and dividends of the New 4*l.* per Centum Annuities now stand charged on the said fund.

"3. That all and every person and persons, bodies politic or corporate, who shall not, within the period commencing on Monday, the 5th day of April, and ending on Saturday, the 24th day of April, 1830, both days inclusive, signify his, her, or their dissent from accepting and receiving a share in the said New 3*l.* 10*s.* per Centum Annuities, in lieu of his, her, or their respective shares in the said New 4*l.* per Centum Annuities, in the manner hereinafter directed, shall be deemed and taken to have consented to accept and receive the same: Provided always, that if any proprietor or proprietors of New 4*l.* per Centum Annuities, shall not be within the limits of the United Kingdom at any time between the 23rd day of March and the 24th day of April, 1830, but shall be in any other part of Europe, it shall be lawful for such proprietor or proprietors to signify such dissent at any time before the 1st day of July, 1830; and if any such proprietor or proprietors shall not at any time between the 23rd day of March, 1830, and the 1st day of July, 1830, be within any part of Europe, it shall be lawful for him, her, or them, to signify such dissent at any time before the 1st of April, 1831, such proprietor or proprietors proving to the satisfaction of the Governor and Directors of the Bank of England, or any two or more of them, his, her, or their absence from the United Kingdom, or out of Europe, as above specified, and that his, her, or their share or shares of such New 4*l.* per Centum Annuities, stood in his, her, or their name or names, respectively, on the 23rd day of March, 1830, in the books of the Governor and Company of the Bank of England. Provided that such proprietor or proprietors so absent from the United Kingdom, or out of Europe, shall signify such his, her, or their dissent within ten days after his, her, or their return to the United Kingdom.

"4. That all and every person and persons, bodies politic and corporate, who shall not, within the periods respectively specified, have signified his, her, or their dissent from accepting and receiving a share in the said New 3*l.* 10*s.* per Centum Annuties, in lieu of his, her, or their respective shares in the said New 4*l.* per Centum Annuities, shall be entitled, if he, she, or they shall think fit, to subscribe to a New 5*l.* per Centum Stock, and receive, in lieu of every 100*l.* of New 4*l.* per Centum Annuities, 70*l.* of such New 5*l.* per Centum Annuities, to carry an interest after the rate of 5*l.* per centum per annum, and so in proportion for any greater or less amount of such New 4*l.* per Centum Annuities; and that the dividends on such New 5*l.* per Centum Annuities shall be payable half-yearly at the Bank of England, and at the Bank of Ireland, upon the 5th day of January and 5th day of July in each and every year; and the first half-yearly dividend on the said New 5*l.* per Centum Annuities, shall be payable on the 5th day of January, 1831; and that the said New 5*l.* per Centum Annuities shall not be liable to be paid off until after the 5th day of January, 1873;—Provided that every person or persons, bodies politic or corporate, desirous of subscribing to such New 5*l.* per Centum Annuities, shall, within one month after the period fixed for signifying his, her, or their dissent, make known his, her, or their intention to subscribe to the 5*l.* per Centum Annuities upon the aforesaid terms, and shall have his, her, or their names inserted in a book or books to be kept at the Bank of England for that purpose.

"5. That provision shall be made for paying off such proprietor or proprietors of the said New 4*l.* per Centum Annuities, as shall signify his, her, or their dissent from accepting and receiving any share in the said New 3*l.* 10*s.* per Centum Annuities, or the said 5*l.* per Centum Annuities, in lieu thereof.

"6. That all persons, bodies politic and corporate, possessed of any part of the said New 4*l.* per Centum Annuities, and who shall desire to signify such dissent as aforesaid, shall, between the 5th and 24th days of April, 1830, both inclusive, by themselves or some agent or agents for that purpose duly authorized, signify to the Governor and Company of the Bank of England, such dissent in writing under his, her, or their hand or hands, together with the amount of his, her, or their respective shares in the said New 4*l.* per Centum Annuities, and which said dissent shall be entered in a book or books to be opened and kept by the said Governor and Company for that purpose, and numbered in the order in which his, her, or their dissent shall be received by the said Governor and Company; and in case of any transfer of such shares, or any part or parts thereof after such dissent, the part or parts so transferred shall be entered in the said books under the same numbers as were fixed to such shares when the dissent was so signified; and every such dissentient proprietor or proprietors, or his, her, or their assigns, under any such transfer, shall be paid off in such order, and at such periods, and in such manner, as Parliament may direct.

"7. That every proprietor or proprietors of the New 4*l.* per Cent Annuities aforesaid, shall receive the dividends due thereon, on the 5th day of July, 1830; and that every proprietor or proprietors of New 4*l.* per Centum Annuities, payable at the Bank of Ireland, shall receive the dividend due thereupon up to the same day, and the said New 4*l.* per Centum Annuities shall be paid off, or converted into New 3½ per Centum Annuities, or 5*l.* per Centum Annuities, in manner aforesaid, from and after the 5th day of July, 1830, and no transfer of the said New 4*l.* per Centum Annuities, payable in Ireland, to or from the books of the Governor and Company of the Bank of England, or to and from the books of the Governor and Company of the Bank of Ireland, shall take place from and after the 23rd day of March, 1830.

"8. That all executors, administrators, guardians, and trustees, may signify such dissent in respect of such shares of the said New 4*l.* per Centum Annuities, for the holding of which their names are made use of respectively; and all executors, administrators, guardians, and trustees, not signifying such dissent, shall be deemed to have assented as aforesaid, and shall be indemnified in respect thereof."

Mr. *Bernal*, on the Question having been put, said, as the greater part of the 4-per-cents were trust funds, he hoped the mode adopted of securing the transfers would be such as would equalize the payments and satisfy the parties for whom the funds were held in trust. He was anxious also to know by what plan the dissentients were to be paid off, because that ought to be ascertained before the House were called upon to provide for the necessary amount. Was it to be by Exchequer Bills?

The *Chancellor of the Exchequer* said, in reply, that it would be inexpedient for the Government prematurely to disclose its plan. He hoped it would be enough for his hon. friend to know, that the intended mode of proceeding would be what became the country to pursue in fairness and justice to the public creditor, while the interest of the public was not neglected.

Mr. *P. Thomson* said, it was of great importance to ascertain how the dissentients were to be paid, and he should therefore beg leave to repeat the question already put by his hon. friend.

The *Chancellor of the Exchequer* could give no further satisfaction. It was necessary to know the number of dissentients, and the amount required to satisfy them before any plan could be adopted. If it were done by way of annuity, an interest corresponding to the eventual reduction of capital, and the rate of the market, would be given.

Mr. *Bernal* was persuaded that his right hon. friend meant to do justice, but must press upon him the necessity of making his plan known as early as possible.

Mr. *Hume* pressed earnestly upon the Chancellor of the Exchequer to state, in justice to the stockholders of the 4-per-cents, what his mode of proceeding would be, to enable them to have proper time to decide whether they would accept his new stock, or take their money. He ought also to say how he meant to provide for the dissentients, because it was essential for the public to know how far the Bank of England was to be engaged in the transaction, considering the heavy liabilities to which that corporation were already exposed. These two points of information he hoped the right hon. Gentleman would take an early opportunity of giving.

Mr. *Robinson* was quite convinced that the project of the Chancellor of the Exchequer was practicable, but he thought the fullest information ought to be given to all the parties concerned.

Lord *Althorp* said, he too was anxious for information, though he was bound to say that the main object of the Chancellor of the Exchequer had his entire approbation. He wished, on that occasion, to call the right hon. Gentleman's attention to the propriety of converting all the permanent into terminable annuities, because we had the means of doing so; and that would, at no distant period, put an end to the public debt. The plan should be, to effect the conversion at the market rate of interest, but he would induce the parties concerned to come into the measure by giving them a bonus. The plan had been strongly recommended by the Finance Committee, and since then he believed about 2,300,000*l.* stock had been so converted. The plan subjected the country to an additional charge for interest, but he did not think that a valid reason for not carrying it into effect. At present, the amount of surplus revenue for any quarter was determined by the sum actually paid into the Treasury during the four preceding quarters, and one fourth of the excess of that over the expenditure for the corresponding period was held to be the disposable surplus for the next quarter, and was placed in the hands of the commissioners for the redemption of the National Debt. If the surplus were 500,000*l.* they might employ it either in purchasing stock or in effecting the conversion of permanent into terminable annuities, as recommended by Mr. Finlayson. If they purchased stock, supposing them to buy 3-per-cents at par, the 500,000*l.* would extinguish less debt than if employed in inducing persons, by giving them a reasonable bonus, to convert permanent into terminable annuities. This plan, which had been recommended by Mr. Finlayson, appeared to him the best which had yet been suggested for the gradual extinction of the debt, and therefore he wished to press it on the consideration of the Chancellor of the Exchequer.

The *Chancellor of the Exchequer* said, he was anxious to give any reasonable proposition a fair trial, but he did not like to pledge himself hastily. The calculations on which such schemes were founded assumed certain facts as data which were not always correct. Although he had been with the noble Lord at that University where calculation was much studied, he confessed that he had not yet mastered Mr. Finlayson's plan; but supposing, when he had mastered it, that he should find it promising, he would give it a fair trial. He had certainly, at one time, supposed that the annuity scheme would not be popular. Experience, however, had convinced him that he had made a mistake. Being aware that the proposed plan would, if founded on correct data, lessen the capital of the debt in a few years, he would certainly take the subject into his consideration.

Mr. *Maberly* expressed his satisfaction th Mr. Brickwood's plan was to be tried.

The Resolutions in furtherance of the Chancellor of the Exchequer's proposition were then put, and agreed to.—To be reported on Monday next.

SUPPLY — NAVY ESTIMATES.] On the Motion of the Chancellor of the Exchequer, the House resolved itself into a Committee of Supply, when

Sir *G. Clerk* proposed, that 57,560*l.* 15*s.* be granted for the Salaries of Officers and Contingent Expenses of the Navy Office for the current year.

Mr. *Hume* wished to know what saving had accrued from the change which he understood had been made in the Navy Board, two Commissioners having retired?

Sir *G. Clerk* explained, that the Navy Board, which, by regulations of 1786 was divided into several committees, had been, by a late regulation, which received the sanction of the Finance Committee, altered in its constitution. Instead of being divided into committees, each Commissioner was made responsible for some one department, and in consequence of this regulation two Commissioners had been removed. But in consequence of the important duties of the two surveyors, which were entirely professional, it was deemed right to retain their services. Care would, however, be taken, that in all future appointments the rank and salary of these executive professional officers should be less, so as to have the offices filled by master-shipwrights, who could carry on these inspections and fully perform the requisite duties. He ought also to mention, that a considerable reduction had been made in the number of clerks in the Navy Office, and that further reductions were in progress.

Mr. *Maberly* complained of the amount of the Superannuations, which he said had increased instead of diminished. He strongly recommended Government to adopt some plan by which its servants might provide for their own superannuations.

Mr. *Herries* replied that Government had done so. In all the appointments which have been made since the recommendation of the Select Committee on this subject, the plan referred to by the hon. Member had been acted upon. The superannuation of all public officers who might hereafter enter the service of the country would cost it nothing. He could assure the hon. Member that the Government had the most earnest desire to carry into full effect the recommendations of the Finance Committee.

Mr. *Hume* asked whether all the officers under Government were obliged to provide for their own superannuation?

Mr. *Herries* answered, all officers under the Treasury.

Mr. *George Dawson* observed, that the regulation applied to all officers who had been appointed since the passing of the Treasury Minute last year, and he had to inform the hon. Gentleman, that he should, in a few days, introduce a bill to extend it to all offices under the Crown.

Mr. *Maberly* imputed all these improvements to the Finance Committee which he was sorry had not been revived. The public would know to whom the reforms were due.

Mr. *Hume* recommended that a scale of salaries to be adopted in every department of the public service should be drawn up and submitted to the House. The present system was inexplicable, it went on no principle, and required revision.

Mr. *George Dawson* agreed in the observation of the hon. Member, and begged to inform him that a Return was preparing which would shew the salary of every officer under the Crown, from the highest to the lowest. The Treasurer meant to introduce a bill to regulate and provide for superannuations.

Mr. *Maberly* desired to know whether this bill was only to regulate superannuations?

The *Chancellor of the Exchequer* said, according to a Treasury Minute, all persons hereafter accepting office immediately under the Treasury, are to have a reduction made in the amount of their salaries, to form a fund to provide for their own superannuations. The bill which he meant to introduce would extend this principle to all the departments of the public service.

Mr. *Hume* objected to the number of useless officers in the Admiralty Office. One Secretary for the Admiralty should at least be got rid of. In 1792 the expense of the three departments, Navy-office, Navy-Pay-office, and the Admiralty, was only 58,719*l.*, and in the present year the charge was 142,000*l.* He noticed that there was a salary of 1000*l.* a-year for a superintendant of transports in profound peace. The salaries of the Surveyor of Naval Building, and of the Comptroller and Commissioner of the Navy, had been trebled nearly since 1792; and when rent and profit, and the wages of labour, as well as the price of all commodities, had fallen so very much, it was neither reasonable nor just that these salaries should be preserved at their full war amount, when they were raised to meet a depreciated currency. An estimate which exceeded the corresponding estimate in 1792 by upwards of 80,000*l.* was a great deal too large.

Sir *B. Martin* said, that if the salaries had increased, the number of Commissioners had been diminished since 1792, and that the public business had increased. In 1792, all the commissioners had a power of selling clerkships; the clerks in their turn received fees, and he could assure the hon. Member, that if the expense to the public was now greater than in 1792, the emoluments of the individuals were much less. The practice of selling clerkships and of taking fees had been done away. He was sure that it could be neither for the honour nor the interest of the public service to return to the system of 1792. If the question were examined in all its bearings, he was persuaded that the present Estimate, as compared with that for 1792, would reflect honour on the Government.

Mr. *Hume* repeated his statement, that the salaries of these officers were too large; and, in particular, he would object to giving the Superintendant of Transports 1000*l.* a-year.

Sir *Byam Martin* said, he ought, perhaps, to have stated, that the Superintendant of Transports performed the duty of a Commissioner of the Navy.

Mr. *Maberly* did not think the salaries of the Commissioners too large, but he observed that many gentlemen held more than one appointment. The Commissioner for Hackney Coaches, for example, with a salary of 300*l.* a-year, was also Governor of Hull, with a salary of 180*l.* Aid-du-Camp to the King with another salary of 180*l.*; he received, in addition, a pension of 300*l.*, with other appointments, that made up a salary of 1,290*l.* a year. Another Commissioner with a salary of 1750*l.* a-year was Lieutenant-governor of the Tower with a salary of 750*l.* There was one Commissioner of Taxes with 1,600*l.*, who also received for two other situations 400*l.*, making up 2,000*l.* a-year. It was wrong to make a military man give up his half pay on receiving a civil appointment, and allow a civil officer to hold three or four appointments, and receive full pay for each. In his opinion, the amount of salaries should be fixed in proportion to duties, and no person should derive any emolument from any other office than from that the duties of which he actually performed. He had never objected to giving high and responsible officers liberal salaries, but he objected to their obtaining these salaries by holding different offices, of which they could not perform the duties. He believed, too, that if a system of uniformity were introduced as to the amount of salaries, the public service would be better performed.

Sir *H. Parnell* wished to know whether it was the intention of Government to carry into effect the recommendation of the Finance Committee, with respect to the mode of keeping accounts.

Sir *G. Clerk* said, that it was necessary to bring in a bill for that purpose, and the bill was in the course of preparation. He added, that the present Accountant-general of the Navy-office had introduced, in lieu of the old system, a very improved system of accounts, upon the basis of the double entry.

Mr. *Maberly* complained, that the old system of keeping accounts was still adhered to by the Navy-office, when a better system had been prepared and recommended, but not adopted. He wished that Mr. Abbott's plan, which was similar to that adopted by the East India Company, and by the French Government, had been followed.

Mr. *G. Dawson* defended the conduct of the Treasury, in adopting the system recommended by Messrs. Brooksbank and Belts, and rejecting that which was recommended by the other Commissioner, Mr. Abbott. It was for the Treasury to determine between the two plans, and they adopted, upon mature consideration, that which they considered the best.

Sir *H. Parnell* said, it was plain that the Treasury, in this instance, had acted with too much haste. They should have let the merits of the two systems be tried before they adopted one in preference to the other. They showed too great haste in rejecting the system which included the journal. It must be admitted, he thought, that his hon. friend, who carried on an extensive business, was a better judge of accounts than the officers of the Treasury; and the opinion of his hon. friend was a sufficient condemnation of the system the Treasury had adopted. The Government should have tried the two systems before adopting either. When the Finance Committee recommended that the public accounts should be investigated by Commissioners, it was with a view of procuring information; so that the best possible system might be introduced. He thought, and so did his hon. friend, that the system which included the journal was preferable to the other, and thinking so, he must affirm, that the Treasury had acted rashly in at once adopting the system which did not include it.

Mr. *Herries* said, the Government had no interest in the matter further than to select the system of keeping accounts which they deemed to be best, and that they had done in selecting the system recommended by Messrs. Brooksbank and Belts. He conceived that the Treasury had done perfectly right in choosing that system. He had long been of opinion, that uniformity in keeping all the public accounts was very desirable. They would then be easily understood by the House and the country, and the Government would be able at all times to tell how the business under its control was managed. With this view the Finance Committee had recommended an inquiry into the public accounts, and the Treasury had, in consequence of that recommendation, appointed Commissioners to inquire. Mr. Abbott was named as an impartial person, well acquainted with public accounts, and Messrs. Brooksbank and Belts were accountants of well deserved reputation. It was impossible for men to have performed their duty better than did the two latter gentlemen, and though they unfortunately differed from Mr. Abbott, he would venture to say that their plan was better than his. He did not deny that Gentleman's merit, but he was bound to defend the system recommended by gentlemen, equally meritorious, and justly adopted in preference by the Treasury. At the same time, he did not mean, in any manner, to blame Mr. Abbott with reference to the public accounts; he wished to remark, that they differed from mercantile accounts, and in his opinion, those who were acquainted with the business of the Treasury were better judges of the proper methods of keeping the public accounts than merchants. He might take some credit to himself from knowing as much of those accounts as the hon. Member for Abingdon; he had had a good deal to do with public business, that hon. Member would admit, but he was not ignorant of the method followed by merchants, and therefore, when he stated that the Treasury had acted right, he thought his opinion might weigh as much with the House as the adverse opinion of the hon. Member.

Mr. *Keith Douglas* observed, that a great improvement had been introduced by the Treasury within the last three years in the system of keeping accounts in the Navy and other public offices.

Mr. *Maberly* said, that he did not censure the individuals, he condemned the total want of system in keeping the accounts in the public offices. The universal system of keeping accounts throughout the commercial world — the system adopted in France—throughout Europe—by the East India Company—and by all merchants—should have been preferred by the Government to the fanciful system of Messrs. Brooksbank and Belts.

The *Chancellor of the Exchequer* said, when the two systems in question were laid before him, he had resolved to examine them both, and adopt that which seemed best. He had after a minute examination, given the preference to the system recommended by Messrs. Brooksbank and Belts, which had been in operation in all the public offices, with the exception of the Navy-office, since the 1st of January; and he was confident that at the close of the year the experiment, as to its superior merits, would prove most satisfactory. He would add, that this system was formed on the basis of double entry, the same as the other, and he believed would in its results be found more useful.

Sir *J. Wrottesley* maintained, that in any department where, in the system of keeping accounts, the journal was excluded, the proper and necessary check could not exist. Any private commercial establishment would be ruined in six months unless a journal were kept. By its use, the head of any department could tell every night and morning the whole sum received and expended in that department; and he could exercise an effectual control, with very little trouble on his part, over all the subordinate officers.

Mr. *Hume* agreed with the right hon. Gentleman, that there would arise a fitter time than that for the discussion; but he wished then to remark, that he had for ten years pressed the Government to introduce a simple system of keeping accounts, so that they might be understood by those who were as little familiar with accounts as the Chancellor of the Exchequer appeared to be. At length some attention had been paid to his recommendation, but not, he contended, in the best manner. Without the journal no effective check could exist. No private establishment could keep its accounts without it; the French Government had introduced it into use, and found it an admirable means of controlling its expenses.

The Resolution agreed to.

The next Resolution, for a sum of 38,207*l.* to defray the Salaries of Officers and other contingencies of the Victualling-office, called up

Mr. *Hume*, who contended, that this was an unnecessary and expensive office. The Government should do every thing in this way by contract, as was the case in the Army. If the Victualling Board were to be kept up, one individual would be sufficient to manage it. At present it cost 48,000*l.*, and the Victualling-yards cost 61,000*l.* making 109,000*l.* for this unnecessary department. There was a Chairman with a salary of 1,200*l.* a year, a Deputy chairman with a salary of 1,000*l.* and four Commissioners each having a salary of 800*l.*; these officers costing the country annually 5,400*l.* If all the business were done by contract, he would venture to assert that 70,000*l.* a year might be saved in this department alone. One provision-merchant in London passed more provisions through his warehouse at an expense of 3,000*l.* than the Government did at the expense of 100,000*l.* The Government should not manufacture a single article, but should buy every thing in the market at the cheapest rate.

Mr. *Maberly* inquired how it was, that the superannuation allowances had increased in this Estimate?

Sir *G. Clerk* said, that the increase arose in the following manner. The clerks on entering the different offices connected with the Navy were distributed among them according as they belonged to the inferior or the superior departments. If they belonged to the inferior department, they received for the first three years only 90*l.* a year. For every year they served afterwards they received an addition of 10*l.* till they reached the maximum allowance of 300*l.* a year. Thus a clerk must have served twenty-three years before he could obtain 300*l.* a year in the inferior departments. A similar course was observed in the superior departments, where the maximum salary was about 500*l.* a year. The increase of the total sum allotted to superannuation arose from the great number of clerks who had been superannuated, but no increase had been made in the allowance of any one. The salaries were placed upon the present footing in the year 1806, at which time the clerks appeared to the House to be underpaid. The remuneration which they now received was not greater than their merits. He contended that the whole of the Victualling Board could not be given up, even supposing that the Navy were in all cases to contract for stores and provisions: it would still be wanting to superintend the distribution of stores at the different ports. He likewise pointed out the influence of the establishment at Deptford in lowering the tenders of the contractors, and stated that it had been found particularly useful in the years 1825 and 1826.

Sir *J. Wrottesley* said, that a large capital had been expended in building mills and purchasing corn for the Government. He thought that, upon principle, such things could be best done by contract. If the contracts were improperly executed, had they not inspectors of contracts to compel their proper execution? If those inspectors passed bad flour, and that flour were afterwards complained of by the Naval officers to whom it was delivered, had not the Government the means of reprimanding and dismissing such inspectors? Had it not also the means of punishing contractors who committed frauds? Letting these matters, however, pass for the present, he would ask the hon. Baronet to inform him whether a regular mercantile book was kept on behalf of the Government, containing an account of the corn bought, the labour employed, and the flour delivered in his Majesty's yards? and whether to that account a per centage was added for the capital employed?

Sir *G. Clerk* replied, that there was an exact debtor and creditor account kept of the corn bought and the flour manufactured, together with an account of the salary paid to the Master, and all other contingent expenses. He added, that such a question ought not to be decided merely by pounds, shillings, and pence: it concerned the health and comfort of the seamen; and as long as there was any temptation to adulterate the material of biscuit, which was the case when it was supplied by contract, it was impossible to answer either for the health or the contentment of seamen. When the biscuits were manufactured in the public establishments the seamen knew that there was no temptation to adulterate it.

Mr. *Hume* said, it was highly wrong to insinuate that those who professed economy would run the risk of injuring the health of the seamen for the sake of a few pounds. They would do no such thing; but Government might as easily secure against adulteration when the biscuit was supplied by contract as when it was made by its own servants. It must contract for wheat; and might it not be imposed on by bad wheat as well as by bad flour or bad biscuit? What had been advanced did not convince him that the Government ought not to contract for the provisions of the Navy. The ships of the East India Company were supplied by contract, and whenever any of the provisions so supplied were found of inferior quality, the contractors were called upon to make the deficiency good. It was impossible for Government to manufacture flour as cheaply at Deptford as individuals could procure it at present in the south of Ireland. That establishment was kept up as a mere pretext, and he was of opinion, that if due economy were used, this Victualling department might be reduced at least 50,000*l.* or 60,000*l.*

Mr. *Maberly* was of opinion, even if meal were an exception to the general rule, that the present mode of supplying salt-meat to the navy was at once unnecessary, useless, and expensive. He had no doubt that all the manufacturing accounts of Government were losing accounts. The hon. Secretary at War had argued some time ago that we ought to keep up a manufactory for swords and cuirasses. He was certain that if the hon. Secretary were to go into the market he could purchase them at half the price which he was paying for their manufacture.

Vote agreed to.

The next Vote proposed was a grant of 137,460*l.* for the purpose of defraying the expense of the Salaries of Officers in the Dock-yards at home.

Mr. *Hume* complained of the extravagant amount of this vote. Some years ago it was not more than 25,000*l.*, now it was upwards of 130,000*l.* He then objected to a charge of 724*l.* in the Deptford yard for rent and taxes paid to the Inspecting Agent of Transports. Now he thought that we had premises enough at Deptford, without going to the expense of hiring a house at such an enormous rent for any officer.

Sir *G. Clerk* explained, that the sum included the rent of a wharf where transports were unloaded, which would not be a permanent charge.

Mr. *Maberly* wished to know whether they were to expect any large reduction in these yards as to materials and to artificers. If he understood the evidence given by a gallant Admiral before the Finance Committee rightly, we should not require to have any more ships of the line built after the year 1830, and the yards would not be wanted, except to put down some large frigates to meet those which had been lately built by America and France. We had now 350 ships of war, a larger number than we could man within any short period after the commencement of a war. Could we, therefore, be justified in keeping up our enormous ship-building establishment for ever? From the evidence given by Mr. Barrow, he thought that a very large saving, indeed, might be effected in this department, which had been as slovenly managed as any public department with which he was acquainted. From the conclusion of the war in 1815, the Admiralty had let the expense of this department go on without examination, until the year 1821. Then they found out that a reduction of 60,000*l.* might be made in it; but that beneficial discovery was not carried into effect till 1822. A gallant Admiral, for whom he felt sincere respect, had clearly intimated to the Finance Committee that he did not think that the Admiralty had done all which they could do in reducing the expenditure of this department, and had expressed an opinion that the Finance Committee should strengthen the hands of the Admiralty by giving an opinion to that effect. He was certain that if that gallant Admiral would apply himself to the examination of the different details of this Vote, he would be able to make a large reduction in this head of expenditure.

Sir *G. Cockburn* complained, that the hon. member for Abingdon had misrepresented, though he believed very unintentionally, his evidence before the Finance Committee. He had said, that we had now a certain number of ships of the line, and that by 1830 all of these would be in a complete state. In stating that, he by no means meant to assert that all our naval force would by that time be complete: for it happened that we were at present short of frigates. Besides, though we had 350 ships on the list, they were not all in an efficient state. We must keep up our naval establishment to a certain amount, in reference to the amount of other nations. He did not think that the hon. member for Montrose wished to put down the dock-yards entirely. He had himself long been of opinion that the expense of the dock-yards might be reduced; indeed, he had been busily employed in effecting such a reduction. A proof of it might be seen in the single fact, that Government had within a few years reduced 500 salaried officers in the dock-yards, whose salaries amounted to nearly 100,000*l.* a year, without at all injuring the efficiency of the yards. The state of those yards at present by no means answered the description of them at the time when Mr. Barrow gave his evidence. Many reductions had been made since that time, and more were in progress. We had recently completed a new system of frigates, and had reduced this year 120,000*l.* in the wages, &c., of the yards. There was only one point on which he had wished to strengthen the hands of the Admiralty with greater power. He had told the committee that it was doubtful to many—it had never been doubtful to him—whether it was proper to discharge from the dock-yards in time of peace those shipwrights whose services we had employed when they were so much wanted during the war. During the present year the Admiralty had taken a very strong measure for the better regulation of these artificers. Formerly in the dock-yards every one was allowed to take as many chips away as he could carry. The consequence was, that half the time of the workmen was spent in making chips. Then the Admiralty came to the resolution of giving them an allowance in money instead of this permission, which necessarily led to much waste. Now the Admiralty had taken away this allowance, with a view of keeping more of them employed. Besides, a reduction of expense in this department might be expected in the ordinary course of nature. The old shipwrights would every day be dying off, and it was not intended to take new ones in their places. Our dock-yard establishment, even as at present constituted, was lower than it was in 1803, when Earl St. Vincent reduced it, as some thought, below its proper standard.

Mr. *Hume* said, that he was glad to hear that we had now, in the fifteenth year of peace, made those reductions which ought to have been made immediately on the termination of the war. It was, however, a severe reflection upon preceding administrations that they had not been made sooner. He wished to know whether there was to be any reduction in the scale of allowances paid to the Commissioner of the Dock-yard at Plymouth for example, who received 1,000*l.* a year; he had a Secretary who received 450*l.*; there were two Master-attendants who received between them 950*l.* a Master-shipwright who had 650*l.* a year, and various other officers. He wished to know if all these salaries were to be kept up.

Sir *G. Clerk* said, that no alteration would be made in the scale of those allowances. Some of the offices would be abolished, but the salaries of those which remained would continue unaltered.

Vote then agreed to.

The following Resolutions were also agreed to:—458,720*l.* for the Wages of Artificers and Labourers employed in the King's yards at home. 680,000*l.* for Timber and other materials. 75,000*l.* for Piloting and contingent expenses.

Mr. *Hume* asked, whether it was the intention of Government to revise the bounty on slaves.

The *Chancellor of the Exchequer* said, that, although this country was subject to great expense in order to suppress the Slave-trade, he thought it would be unwise to abandon that object suddenly. The subject, however, was under the consideration of Government.

The following items were also voted without opposition:—66,494*l.*, for the Salaries of Officers and Contingent Expenses of Foreign Yards. 61,038*l.*, for the salaries Officers and Contingent Expenses of the victualling-yards. 64,026*l.* 6*s.* 7*d.*, to defray the expense of the Salaries of Officers on the Naval Medical Establishment for 1830. 845*l.* 8*s.* 3*d.* to defray the Salaries and Expenses of the Officers of the Naval College, and the School for Naval Architecture, for 1830, induced

Mr. *Hume* to say, that he approved of this Vote. He was glad to find that the young men now paid for their education. Formerly this establishment stood the country in 3,245*l.* a year, and it was now reduced to 845*l.* He thought that the Military College ought to be placed on the same footing.

105,000*l.* to defray the Salaries and Allowances of the Officers and Men on board Vessels in ordinary for 1830, and 27,870*l.* for defraying the expense of the Packet Service, for 1830, were all voted without remark.

Sir *G. Clerk*, in moving for a sum of 854,000*l.* for defraying the Half-pay of Naval Officers, observed, that a regulation had lately been made, by which promotion in the Navy would be retarded, and by that means a great saving would be effected under this head.

Mr. *Hume* said, that the regulation alluded to must be of very recent date, for he understood that two promotions had lately been granted at Plymouth, by the flag-officer, Lord Northesk.

Sir *G. Cockburn* observed, that the noble Lord at the head of the Admiralty thought it was but fair towards those individuals to grant them that promotion which they had been serving for three years to obtain.

The Vote for 296,063*l.* for Superannuations and Pensions to Naval Officers, led

Mr. *Stanley* to observe, that there was in one page a superannuation allowance of 456*l.* to Mr. W. Shield, and in the next page 500*l.* as a pension to Mr. W. Shield in the character of a Commissioner. He wished for some explanation.

Sir *G. Clerk* answered, that this gentleman had served for a long time at Plymouth, at Woolwich, and Chatham, as Commissioner. His superannuation allowance was calculated on the time he had served, and the salary he had received in the civil office. Mr. Shield was upwards of seventy years of age, and had been for a long period in the active service of the Navy. His superannuation allowance amounted to 466*l.* or about 25*s.* a day. His pension was his half-pay.

Mr. *Hume* said, nothing could be more preposterous than that an officer, living in a dock-yard, and possessing every comfort, should receive a salary of greater amount than if he were employed in serving his country abroad.

Sir *Byam Martin* said, this individual received his superannuation allowance under an Act of Parliament—his half-pay was granted for forty years' service.

Sir *G. Cockburn* observed, that it was not correct to say that those individuals got double what they would have done had they continued actively employed in the Navy. Had they remained in the naval service, they would now have been Admirals, with much larger allowances. Mr. Shield had been forty years in the naval service before he entered the civil service, in which he had been twenty years, and he was now nearly seventy years of age.

1,500*l.* to defray the Salaries of Chaplains in the naval service; and 270,000*l.* towards defraying the expense of the Out-pensioners of Greenwich Hospital were also voted.

Mr. *J. E. Denison* complained, that by the existing Act of Parliament, a marine, who entered the service at twenty years of age, was entitled to claim his discharge and pension after he had served twenty-one years. Thus a perfectly healthy man of forty-one might claim a salary of 18*l.*, 25*l.*, 26*l.* or 27*l.*, according to circumstances. When such a man returned to his native village, he found his old companions scarcely receiving for their laborious exertions as large an income as his retired allowance.

Sir *G. Cockburn* said, the statement was true. A marine might obtain his discharge and a pension after twenty-one years service; but the pensions were under consideration. Some alteration would probably take place in the Act of Parliament to which the hon. Member had alluded.

PENSIONS FOR THE HON. R. DUNDAS AND THE HON. W. L. BATHURST.] The Vote for the sum of 174,584*l.* 9*s.* 4*d.* to defray the Superannuations granted to Commissioners, Clerks, &c. formerly employed in the civil departments of the Navy, gave rise to the following debate.

Sir *R. Heron* said, he hoped that, in proposing the Motion of which he had given notice, he should not be deemed to trespass improperly or unnecessarily on the time of the Committee, while he made a few observations. In the first place, he would say, it was not his fault that the Motion had not been brought forward at an earlier period. He had given many successive notices of his intention to bring the matter under consideration; but circumstances had prevented him from introducing it sooner. He considered the proposition which he was about to submit to the Committee as one of very considerable importance; but he feared that its consideration would not be enhanced in consequence of the subject being taken up by so humble an individual as himself. He observed in the Estimate which they were now called on to vote, the names of two individuals, the Hon. R. Dundas and the Hon. W. L. Bathurst, to the former of whom was granted a pension of 500*l.*, and to the latter a pension of 400*l.*, making a total charge of 900*l.* on the country. This charge he wished to have disallowed by the House. The former of those gentlemen was a reduced Commissioner of the Navy, the latter was a reduced Commissioner in the Victualling department. The column in which the time of service was usually marked was in those two instances left blank, and he concluded that this gave a very proper and significant description of the services of those gentlemen, for if not *nil*, essential they certainly had not been. The situations appeared to have been created purposely for the parties; and shortly after they were appointed to them the offices were abolished. Then these pensions were created. They had heard much of the constant assiduity and labour which Ministers showed in considering what places and pensions could be abolished without detriment to the public service; and he for one acknowledged that he was somewhat astonished when he found that the amount of saving effected by all this anxiety was a little more than 1,000,000*l.* a year. If they were to rely only on the assiduity of Ministers to curtail the expenditure, he must say, that he thought the case desperate when he saw these pensions granted in the last year. In speaking of those pensions he knew very well that the sum of 900*l.* was a mere trifle in the expenditure of the country; but a grant, though small in amount, might be monstrous in principle. To those young gentlemen he imputed no blame; the blame must fall on the Ministers, and on two of them particularly—he meant the fathers of those individuals. It was well known that they were noblemen who for a great number of years occupied, with little intermission, some of the most important and lucrative situations in the Government. Viscount Melville, at the present moment, presided as First Lord of the Admiralty, and Earl Bathurst was now Lord President of the Council, one of the Tellers of the Exchequer, and Joint Clerk of the Crown. Their grandfathers were also men of high consideration. One of them for many years filled the situation of Lord High Chancellor of England, and the other was a sort of Viceroy of Scotland, holding places which produced great emoluments, and performing services which were rather equivocal. Now, that these gentlemen, gorged with the public money, should require for their families, or even condescend to accept such miserable pensions, and that too at a time of public distress, did appear to him, and he would not shrink from expressing his opinion, neither would he state it more harshly than the case required, but it did appear to him to be paltry. Though, abstractedly considered, these pensions might seem small, yet they appeared very large when they were compared with the remuneration of a vast number of persons whose services had been most brilliant, and whose exertions had added to the greatness of the country. He would take the liberty of naming two of those individuals, and he had not the least hesitation in naming them, for they were men who could not be mentioned without awakening recollections of national glory, and exciting feelings of admiration and gratitude. They were Admiral Bowen and Admiral Barlow—the one twenty years, the other somewhat less than twenty, in the civil service of the navy,—the former had a pension of 500*l.* the latter a pension of 450*l.* per annum. It was true, indeed, that Admiral Barlow had his half-pay in addition to his pension of 450*l.* To Mr. Dundas a pension of 500*l.* was granted; but he believed that he held the situation of Commissioner for a very short time; and during the time he held it, if he mistook not, that gentleman was engaged on two diplomatic missions. [" *No, no,*" *from the Ministerial benches.*] He was employed at least on one; but if he recollected accurately, he had gone to St. Petersburg with the Duke of Devonshire on one mission, and with Lord Heytesbury on another. He would next call the attention of the House to that meritorious officer Sir Thomas Foley, who had his half-pay of 750*l.*, and Sir Thomas Hardy, the captain of the great Nelson, who had 450*l.* per annum. These were men who had served their country in every climate, and who had asserted her honour in many a bloody action. The places given to Mr. Dundas and to Mr. Bathurst were places held during pleasure. It was, therefore, perfectly in the power of his Majesty's Ministers to dismiss them with or without pension, according to the service which they had performed. But what must the people think of the professions made by Ministers when pensions like these were granted,—pensions that were without precedent,—pensions for which no adequate service had been rendered? Now he would ask, on what ground was it possible that these pensions could have been given? Could the act be defended on the ground of custom? He believed not; but even if it could, he was not aware of any abuse in existence that might not be defended, certainly not justified, on that ground. He would ask, what was the use of boasting of alleviating the sufferings of the people, when pensions such as these were allowed? These individuals were first improperly placed in these situations, and, when they were removed from them, they were with equal impropriety pensioned on the country. By such a system, a number of persons belonging to that noble profession, the Navy, who had infinitely higher claims to office, and were at least equally calculated to act in office, were excluded from beneficial employment; for he would say, that no young men were better educated for all useful purposes than those who entered the navy now were. He really hoped and trusted, that the Members of that House would, this night, by their vote, put an end to such a lavish and improper use of the public money. He trusted, that in this case, at least, they would show some fellow-feeling for their constituents, and prove that they were anxious to represent their wishes and to relieve their wants. He would say nothing farther on the subject, except by repeating his opinion, and it was a strong one,—that the grant and existence of these pensions were highly improper, and that the conduct of those who acquired them for their families, who had no just claim on the public, and who could not possibly want them, was such as he could not denominate otherwise than as paltry. In his mind also, Ministers, in allowing grants of this nature, were guilty of a mockery of the public distress. He then moved, "That the proposed grant of 174,584*l.* 9*s.* 4*d.* should be reduced by deducting from it the sum of 900*l.*

The Question having been put,—

The *Chancellor of the Exchequer* begged to assure the hon. Baronet that he was not one of those who imputed blame to him for the delay that had taken place in bringing on the present discussion—he was aware that the delay had been occasioned by an unwillingness to impede the public service by interposing unnecessary obstacles to the progress of the estimates. He felt anxious to address the Committee on this particular subject, because he thought the hon. Baronet laboured under an erroneous impression, in which in all probability other hon. Members participated, as to the conduct of the Treasury in giving its sanction to this Vote being submitted to Parliament. He thought he should best satisfy the Committee by stating the circumstances of the case, and the grounds on which the Treasury had proceeded in this particular instance, laying aside, as he intended to do, much of the extraneous matter which the hon. Baronet had introduced in the course of his speech. He said "extraneous," because he did not conceive it to be his duty, in considering cases of superannuation such as the present, to examine whether the ancestor of an individual had been Lord High Chancellor of England, or had held a high office in Scotland: it was not his duty to decide cases by the pedigree of individuals. The Treasury had dealt with these cases by a reference to considerations which would have applied equally to the lowest or the highest person in the King's dominions, and he was not conscious of any error in having done so. The present discussion arose from a considerable reduction which Government thought it their duty to make in the civil department of the navy. Two Commissioners of the Navy Board, and one Commissioner of the Victualling Department had been reduced. It appeared proper to select the two persons in question for reduction: one of the gentlemen, who was a Commissioner of the Navy Board, was appointed to an office then vacant, consequently the charge of his salary as a Commissioner was extinguished without deduction on account of allowance. There remained the other two Commissioners whose names had been introduced on this occasion to be dealt with, and their cases were brought before the Treasury. As to the precise nature of the services of these individuals, he was not prepared to answer. He thought it rather unfortunate that the length of their service had not been stated in the Estimate, but he believed that their service was of about four years' duration, the appointments having taken place in 1825. In considering these cases, the Treasury felt bound to adhere to the principle on which, upon the reduction of Boards at former times, officers had received allowances. Here he might observe, that offices of this description, although, technically speaking, held during pleasure, were always considered as granted for the life of the party, or during good behaviour. The reductions in the members of the Revenue Board had been considered on the same ground as the present, and the Treasury proceeded on the principle of effecting a considerable saving in the public expenditure by the removal from office of several persons, who, be it remembered, had embarked in their several employments with the idea that their situations were to be permanent. The Treasury was the more disposed to adopt this view of the case, because persons embarking in such offices frequently abandoned some profession which they had previously embraced, and lost those opportunities of advancement which they would otherwise have had in their several professions. These two gentlemen were precisely in that situation. Mr. Bathurst, although called by the hon. Baronet a very young gentleman, had been a considerable time at the bar [*a laugh*]. He really did not see what there was to attract hon. Gentlemen's laughter in the circumstance of a Gentleman pursuing an honourable profession. It might appear ridiculous to some hon. Members; but to him it seemed an honourable path for a man to pursue, whatever might be his rank in life. Mr. Bathurst and Mr. Dundas, who had both embarked in different professions, abandoned them on being put into the situations of Commissioners of the Navy, and the principle of compensation and allowances when reduced, applied perfectly to them. The commissioners who were appointed several years ago to inquire into several of our public establishments, with a view to reduction, recommended an allowance of two-thirds of the usual salary, where the service had been for a less period than twenty years, and three-fourths where the period of service extended to more than that time. In looking at other cases of reduction, where it was recommended to abolish inferior offices, and where allowances of an inferior rate were granted, it appeared that persons holding subordinate offices in the Customs for a less period than ten years were to have half their salary, and those who had served longer were to have two-thirds. Now the Treasury, in dealing with the present cases, did not avail itself of the rule laid down with respect to commissioners and high officers removed from the public service, but looked to the lowest scale that applied to subordinate offices. Besides, the Treasury insisted that the Admiralty should appoint these two gentlemen (who had been so reduced) to offices as they became vacant, in order to relieve the country from the charge of their allowances. If the Treasury were to be guided by the rule antecedently adopted, it could not decide differently in similar cases, according to the rank of the parties, and it was fully justified in submitting the present vote to the Committee. Let him advert to one circumstance, which at least showed that there was no wish to benefit particular individuals in the present instance, but that the object was to effect a saving in the public expenditure—what would have been more easy than to have made this arrangement on the footing of former arrangements of a similar nature, and taking as objects of reduction persons who had served longer than these individuals, to have granted a larger allowance to them, and to have still retained these two gentlemen as commissioners at their full salaries. This was on the supposition that the Treasury was inclined to do what was incorrect—but it had acted differently, and solely with a view to public advantage. In the other case, Ministers would have imposed a heavier charge upon the public, but the present course showed that they had a *bonâ fide* intention to advance the public service, and pay the utmost attention to principles of economy. He had stated the history of the transaction, and trusted the House would consider it on the same principle as any other similar case. If gentlemen had the fortune or the misfortune to be born of honourable families,—if their ancestors had distinguished themselves in the service of the public, he confessed he could not see, either in the circumstance of their families, or of the services of their ancestors, any thing to disentitle those gentlemen to the fair consideration which the House would be prepared to afford in another case.

Sir *G. Clerk* observed, that whatever blame was imputable on the ground of the omission of the length of service of Mr. Dundas and Mr. Bathurst in the Estimate attached to him; it was intended that the period of these gentlemen's services should appear, and the hon. Comptroller of the Navy had brought him a copy filled up with these items, but, owing to a mistake of his own, a rough copy in which they were omitted had been brought down.

Mr. *C. Wood* was of opinion, that the transaction in question was blameable; but at the same time thought, that the fault did not attach to any particular member of the Cabinet, but to Ministers generally, for sanctioning a vote which involved a most extraordinary principle of superannuations and allowances. Although it did not appear on the Estimates what had been the length of service of these two gentlemen, it was stated that it did not exceed four years. Was that, he asked, a fair period of service for which to grant an allowance? This was to extend the terms of the Act of Parliament under which superannuations were granted, and involved an unjustifiable departure from its principles. It had been said, that these gentlemen had given up professions and embarked in these offices for life to the exclusion of other prospects. Unfortunately, however, for this statement, we found one of the gentlemen, subsequently to his appointment as Commissioner, accepting a diplomatic situation [*hear, and cries of "No"*]: at least he gave up his office, and accepted a situation in a diplomatic mission, and now he was to be compensated for the loss of an office to which he could not be fairly said to devote his time, having been put into another situation. When he looked at the enormous amount of superannuations, he thought the Committee would not be justified if it did not mark by its vote the utmost reprobation of this transaction. Within three years of 1810, the amount of superannuation allowances had doubled. Between 1810 and 1815, the superannuation allowance to the officers of the Customs alone had increased from 29,000*l.* to 100,000*l.* Notwithstanding the Act of 1824, and the expressed opinion of the House of Commons, superannuations had increased since that time from 384,000*l.* to 488,000*l.* With such an example before them, it would be a gross neglect of duty if the Members did not oppose the vote.

Colonel *Sibthorp* said, he had heard with astonishment the right hon. Gentleman, the Chancellor of the Exchequer, charge the hon. Baronet with introducing extraneous matter into his statement. Never was there a more plain unvarnished tale than that of the hon. Baronet. On the contrary, the right hon. Gentleman's statement was full of extraneous matter. The right hon. Gentleman said, that in his opinion the case of the highest and the lowest individual ought to be considered on the same principle, or simply in reference to the circumstances of it. He hoped it always would be so. But pensions and allowances ought to be granted for public services, and casualties, and what could the committee say when it found pensions of 400*l.* and 500*l.* granted to individuals, for what?—for doing nothing at all. The hon. Member proceeded to say he had submitted a memorial of the strongest nature to Government with respect to an individual of unimpeached character, who was eighty-four years of age, and had served thirty years in the army, applying for an addition of a paltry sixpence a-day to the allowance of this highly respectable individual—and what answer did he receive? That no additional grant could be afforded. And why? Because this person had been worn out in the public service. Here, however, were two hon. gentlemen of noble descent, the sons of members of a ministerial party, and they got 900*l.* a year for having done nothing. By the way, if they had not been sons of Ministers, perhaps they would not have obtained their allowances just so readily. The hon. Member went on to read the memorial of serjeant Duncan Macdonald. It stated that the petitioner was an Out-pensioner of Chelsea Hospital; that he had been seventeen years in the 66th regiment of foot, and had served five years in the West Indies; and that he was thirteen years drill serjeant of the South Lincoln Militia. [*Laugh*]. Gentlemen might laugh at this mention of an old constitutional force, which it was the fashion to treat with contempt in that House, notwithstanding we might one day want it. The hon. and gallant Member again referred to the memorial, which stated, that memorialist was eighty-four years of age, and in a state of blindness, and prayed for some further allowance. The hon. Member then read the answer to the memorial, in which it was stated, that the petitioner had been discharged in consequence of being worn out in the service, and not for the disabilities of which he now complained; and on this ground that he was not entitled to an increase of allowance, having received his full share at the period of his discharge. Here was an individual worn out, after a service, not of four, but of seventeen years, and yet he was refused an addition of 6*d.* a-day, while these gentlemen had 900*l.* a-year between them. He felt that he was discharging his duty in what he was saying, and while he was assured of that, the smiles or the frowns of the House were alike indifferent to him.

Mr. *Hobhouse* said, that whatever opinions might be entertained in the House upon this subject, there was but one opinion upon it out of doors. It might be unfortunate that the period of these gentlemen's services was omitted; it might be unfortunate that they were the sons of Cabinet Ministers; it might be unfortunate that they held other places; but of this he was quite sure,—namely, that all these unfortunate circumstances made it also very unfortunate that these pensions should have been granted. It was quite impossible that these appointments could be defended; the Chancellor of the Exchequer had not defended them; the right hon. Secretary (Mr. Peel) would not defend them. Indeed, while the Chancellor of the Exchequer was speaking, he thought he saw upon the cheek of the right hon. Secretary something like the blush of shame, which seemed to say, "A profligate case has happened once, but it shall not happen again; *erubuit—salva res est.*" He thought it very creditable to the right hon. Secretary that he had not risen to defend this proposition. He knew nothing of these gentlemen personally, and he did not deal with the question personally; but he could not help seeing that one of them held a place of 1,000*l.* a year, and that the same gentleman had held another situation—that of Commissioner of Bankrupts. He did not mean to say, that there was any intention to create in this country what were formerly called in France "Ministerial families;" but he begged to ask, what the public would think when they found that men were placed on a level with persons who had performed great public services, merely because they happened to be sprung from certain ancestors. Such a system would and must discourage the servants of the public. The Chancellor of the Exchequer had told them that they had laughed because they found a scion of a noble house taking up an honourable profession. But they had not laughed at that, nor had they laughed at a noble scion abandoning that profession. What they had laughed at, but what the country would be indignant at, if these votes were passed, was, that noble scions who could not get briefs at the bar, managed to get themselves pensioned by the public. He would venture to say that never had any Government before received so much independent support as the present Government had received; but that support must cease when it was found that the pension-lists were filled with the sons of the colleagues of the right hon. Gentlemen opposite.

Sir *G. Clerk* begged to call the attention of the Committee to the real question before it; that question was, whether there was any thing in the situations of these gentlemen which ought to induce the House to refuse in their case what they would not refuse in similar cases. There was no instance in which persons removed in consequence of the abolition of offices had been denied some remuneration. Such was the present case. The allowance, moreover, was purely of a temporary nature; for these two persons were to be appointed to the first civil situations which should fall vacant in the naval department.

Colonel *Dundas* said, that he should not have intruded himself upon the House but for the unnecessary personality in which the hon. Baronet who brought forward the subject had thought proper to indulge. [*Cries of* "*no, no,*"] No! Why, the hon. Baronet had described the gentleman to whom he alluded as the son of a noble Lord who held office, and as the grandson of another noble Lord whom he called a sort of Viceroy of Scotland, who had performed somewhat equivocal services. Now it was impossible to mistake the allusion which the hon. Baronet intended to convey by the words "equivocal services;" but he thought that he might confidently appeal to the result of the circumstances to which the hon. Baronet alluded, as a complete answer to the calumny. In describing the noble Lord—for whose memory he could not but feel the deepest respect—as having been a Viceroy in Scotland, the hon. Baronet had only given him an occasion to say, that he was proud of such an ancestor. The support which that noble Lord received from the people of Scotland during his life-time, and the monument which had been raised to his memory in that country since his death, were sufficient proofs of the estimation in which his noble ancestor was held in Scotland.

Mr. *Maberly* said, that this question had been argued as though the vote were one of course, whereas it was clearly subject to the determination of the House. He hoped, however, that the vote of that night would establish the fact, that no person should have a pension who had not performed actual services.

[Sir R. Heron and Mr. Peel rose together, but the latter gave way.]

Sir *R. Heron*, in explanation, begged to say, that when he called the late Lord Melville a sort of Viceroy of Scotland, he alluded to an office and to duties which no longer existed. As to the expression "equivocal services," he could assure the hon. Member, that he had no intention of hinting at the circumstances to which the hon. Member had alluded. Indeed, that circumstance never once entered his mind. But his meaning was, that the late Lord Melville belonged to a particular party, and his services, however approved by that party, were equivocal to the rest of the nation.

Mr. *Peel* said, he was glad he had given way to the hon. Baronet, whose explanation, he was sure, must be satisfactory to the hon. Gentleman who had expressed himself on the subject with a degree of warmth that the circumstances undoubtedly justified. The hon. Member for Westminster was mistaken in supposing that he disapproved of the proposition; but he could assure that hon. Member, that he was not insensible to the value of that independent support which, the hon. Member truly said, the present Government had received. Most sorry should he be to lose such support; and never, to the latest day of his existence, could he forget the conduct pursued by the Gentlemen on the other side of the House on the great measure of last Session. The manner in which the Gentlemen opposite gave their support to the Government at that time could never be forgotten by him; and he thought that the conduct pursued by those Gentlemen on that occasion reflected the highest credit on the political parties of this country. With respect to the present proposition, he agreed with the hon. Member who spoke last as to the nature of it. It was only a proposition made by the Government, which the House would reject or allow as it thought fit. It was a mere estimate, which, if the House thought improper, it would be its duty to reject. He begged of hon. Members, however, to consider what the real nature of the proposition was, before they came to a decision upon it. It was a proposition which arose out of a revision of the establishments of the country which the Government had thought it their duty to make. The course which had been pursued in this case by his Majesty's Ministers had been to take away the youngest officers, and instead of a salary of 1,000*l.* to give them 450*l.*, until some other employment offered for them. But the main question was the intention of his Majesty's Ministers in the measure, and he would read to the Committee the official correspondence which had taken place respecting it. The right hon. Gentleman here read the following letters:—

"*Admiralty Office, March 20th*, 1829.

"Sir—I am commanded by my Lords Commissioners of the Admiralty to acquaint you that their Lordships have given directions for praying New Patents for the Navy and Victualling Boards, the effect of which will be the immediate reduction of two members of the former, and one of the latter Boards, and the further reduction of a third Member of the Navy Board, on the death, removal, or resignation, of Mr. Tucker or Sir Robert Seppings, the present Joint-Surveyors of the Navy. The two Commissioners of the Navy who are reduced are Captain J. M. Lewis and the Hon. Robert Dundas, the former of whom will be appointed to Sheerness and Chatham Yards, in the room of Commissioner Cunningham, who retires; and the reduced Commissioner of the Victualling Board is the Hon. W. L. Bathurst.

"My Lords command me to request you will state this arrangement to the Lords of his Majesty's Treasury, and inform me whether their Lordships are of opinion that any retired allowance, and to what amount, should be granted to Mr. Dundas and Mr. Bathurst on the abolition of their offices, which have usually been deemed hitherto as held during life or good behaviour. Mr. Dundas has held the office four years, having been one year previously attached to the British Embassy at Madrid and Lisbon; and Mr. Bathurst has held his situation nearly four years.

"Their Lordships think it right to add, for the information of the Lords of the Treasury, that Mr. Dundas is eligible to two of the reserved Commissionerships of the Navy; but that as all the members of the Victualling Board, except the Chairman, are professional, Mr. Bathurst would not be eligible to any seat at the Board, unless as Chairman.

"I am, &c.

(Signed) "JOHN BARROW.

"The Hon. J. Stewart, Treasury."

"*Treasury Chambers, April* 30*th*, 1829.

"SIR—Having laid before the Lords Commissioners of his Majesty's Treasury your letter of the 20th ult., respecting the amount of superannuation allowance to be granted to Mr. Dundas and Mr. Bathurst, on their removal from the Navy and Victualling Boards, in consequence of the reduction in the numbers of the Commissioners of those respective Boards, I am commanded by my Lords to acquaint you, for the information of the Lords of the Admiralty, that they observe with satisfaction that their Lordships have made an arrangement for employing in another situation Captain F. M. Lewis, one of the reduced Commissioners of the Navy, and have thus superseded the necessity of raising any question as to any provision for him. And my Lords have no doubt that the Lords of the Admiralty will be equally anxious to adopt a similar course with respect to Mr. Dundas and Mr. Bathurst; and my Lords, therefore, consider that any allowance to be made to them is purely of a temporary nature, to continue only during the period which may elapse before they can be again employed in some civil situation connected with the Civil Departments of the Navy. My Lords, therefore, see no objection to assigning to them a temporary allowance of one-half of their respective salaries from the period when they ceased, being the proportion allowed to other officers reduced on abolition of their respective offices, under the Minute of this Board of February 2nd, 1825, it being distinctly understood, that Mr. Dundas and Mr. Bathurst are to succeed to the first situations which may be at the disposal of the Lords Commissioners of the Admiralty, for which they may be qualified.

"I am, &c,

(Signed) "J. STEWART."

These letters shewed, the right hon. Gentleman went on to observe, that these allowances were in conformity to the rule of former Governments; they were not the result of any special rule of the existing Government, nor any job. The rule might be wrong, but it was established long before. It did not originate with his noble friend the Duke of Wellington and his right hon. friend the Chancellor of the Exchequer, but it was established when Lord Liverpool and Lord Goderich were in office. The Treasury Minute of February 2nd, 1825, referred to in the letter he had read, related to the Board of Customs; and the rule it laid down was, that the Lords of the Treasury would grant to those officers who had not served ten years, one half of their official salaries. The general rule was the material point of the question; and it was a positive hardship on the sons of Cabinet Ministers, that they only should be liable to animadversion when they are treated according to this rule. The Committee would allow he had not attempted to bias its opinion by any appeal to the passions; but he must say, that considering the difficulties attending the making reductions, it was not quite right to embarrass the Government when it attempted to effect them. He hoped he had said enough to convince the House that his Majesty's Ministers had not been influenced by any corrupt motive in this transaction.

Lord *Althorp* observed, that the House had a right to investigate all the circumstances of these pensions, which, in his opinion, ought not to be granted.

The question being loudly called for; the Committee divided, when there appeared—for the Amendment 139; against it 121; Majority against Ministers 18.

List of the Majority.

Althorp, Lord
Acland, Sir T.
Attwood, M.
Benett, J.
Blandford, Marquis
Bernal, R.

Baring, Sir T.
Baring, F.
Byng, G.
Brownlow, C.
Blake, Sir F.
Burdett, Sir F.
Buck, L.
Bentinck, Lord G.
Bright, H.
Birch, J.
Barclay, C.
Barclay, D.
Burrell, Sir C.
Bankes, H.
Batley, C. H.
Carter, J.
Colborne, N. R.
Cholmeley, M.
Clive, E.
Cavendish, W.
Cavendish, Hon. H.
Cavendish, C.
Cotterell, Sir J. G.
Calthorpe, Hon. F.
Clifton, Lord
Davies, Colonel T. H.
Du Cane, P.
Dundas, Hon. Sir R.
Dundas, Hon. T.
Dawson, A.
Davenport, E.
Duncombe, T. S.
Duncombe, Hon. W.
Denison, J. E.
Denison, W. J.
Dick, Q.
Egerton, W.
Ebrington, Lord
Easthope, J.
Euston, Earl
Ellison, Cuthbert
Encombe, Lord
Ewart, W.
Fane, J.
Fazakerley, J. N.
Fergusson, Gen. Sir R.
Fyler, T. B.
Farquhar, J.
Graham, Sir J.
Grant, Hon. C.
Grant, R.
Harvey, D. W.
Hobhouse, J. C.
Hume, J.
Honeywood, P.
Heneage, G. F.
Hay, A.
Hoy, J. B.
Howard, R.
Jephson, C. D. O.
Knight, R.
Killeen, Lord
Kerrison, Sir E.
Keck, Legh
Knatchbull, Sir E.
Kekewich, S.
Labouchere, H.
Lloyd, Sir E.
Langston, J. H.
Lambert, J. S.
Lester, B.
Lennox, Lord G.
Lumley, J. S.
Martin, J.
Maberly, J.
Maberly, Col.
Monck, J. B.
Marjoribanks, S.
Milton, Lord
Marryatt, J.
Macdonald, Sir J.
Nugent, Lord
Ord, Wm.
Osborne, Lord F.
O'Grady, Col.
Powlett, Lord W.
Protheroe, E.
Phillimore, Dr.
Price, Rt.
Ponsonby, Hon. F.
Pallmer, N.
Palmer, C. F.
Palmer, R.
Parnell, Sir H.
Peach, N. W.
Philips, Sir R. B.
Philips, Sir G.
Pendarves, E. W.
Poyntz, W. S.
Ridley, J. M. R.
Rice, T. S.
Robinson, G. R.
Robinson, Sir G.
Ramsden, J.
Ramsden, J. C.
Robarts, A. W.
Rickford, W.
Ramsbottom, J.
Rumbold, C. E.
Sadler, M. T.
Spence, G.
Stanley, E.
Stewart, Sir M. S. B.
Sibthorp, Col.
Sefton, Lord
Smith, Ald.
Thompson, Ald.
Thomson, C. P.
Townsend, Lord C.
Trant, W. H.
Uxbridge, Lord
Vaughan, Sir R.
Vyvyan, Sir R.
Ward, J.
Western, C. C.
Wilson, Sir R.
Wrottesley, Sir J.
Wood, C.
Warburton, H.
Whitmore, W. W.
Wilbraham, G.
Webb, Col.
Whitbread, S.
Wetherell, Sir C.
White, S.
Wynn, Sir W.
Wells, J.

TELLER.

Heron, Sir R.

PAIRED OFF.

Newport, Sir J.
Rancliff, Lord
Rowley, Sir W.
Wood, Ald.
Howick, Lord
Stanley, Lord
Phillips, Sir G.
Portman, C. B.

On our return to the gallery, the Commitee were discussing the next item,—namely, 99,000*l.* for the works of the Dock-yards.

A conversation took place between Mr. Hume, Sir G. Clerk, Sir G. Cockburn, Sir M. W. Ridley, Mr. Bright, and Mr. Maberly, relative to the grant of 23,457*l.* for building a Naval Hospital at Malta, which was postponed.

Sir *J. Graham* took that opportunity to give notice, that he should move for the abolition of the office of Lieutenant-general of the Ordnance when the Ordnance Estimates should be regularly brought before them.

The House resumed, Sir A. Grant reported progress, and the report to be received on Monday.

On the Motion of Mr. Maberly, were ordered copies of correspondence relative to the Naval Hospital at Malta.

HOUSE OF LORDS.

Monday, March 29.

MINUTES.] Returns Ordered. On the Motion of the Earl of MALMESBURY of the quantity of Wheat remaining under Bond on January 5th, 1828, the quantity entered for Home Consumption between January 1828 and January 1830; the quantity exported in the same period, and the quantity in Bond on January 5th, 1830:—of the quantity of Flour imported from the Isle of Man into Liverpool, from January 1828 to January 1830. On the Motion of the Duke of WELLINGTON, of the quantity of Raw, Waste, and Thrown Silk entered for Home Consumption during the last ten years, specifying the Rates of Duty:—of all Silk Manufactured Articles imported since 1826:—of the quantities of Thrown, Raw, and Waste Silk which have paid Duties during the last three years:—of the number of Skins on which Duties have been paid during the last ten years:—of the Vessels which have passed through the Sound during 1829:—of the number and tonnage of British Ships which entered Inwards and cleared Outwards during the five years ending January 5, 1826, and the five years ending January 5, 1830:—of various Articles, such as China-ware, Earthenware, Cordage, Iron, Lead, Toys, &c. &c. On the Motion of Earl BATHURST: Copies of any correspondence between the Board of Trade and the Directors of the East-India Company, and of Letters written by the Directors to the Government of India, relative to the cultivation of Cotton and Tobacco in the East Indies.

Returns Presented. Extract of a Letter from the Government of Bengal to the Court of Directors, dated June 29th, 1826, respecting the permission given to Europeans to hold Land on Lease for the cultivation of Coffee:—Minute of Mr. Trower, of the Board of Revenue at Calcutta, dated March 25th, 1823, and Resolution of Bengal Government, passed 7th May, 1824:—extract of a Letter from the Court of Directors to the Government of Bengal, dated Sept. 10th, 1828, in reply to a Letter from that Government, of June 29, 1826, and extract of a Letter from the Court of Directors to the Government of Bengal, dated July 8th, 1829, directing that Government to adhere to the terms of the Resolution of May 7, 1824. The East Retford Witnesses Indemnity Bill was introduced and read a first time, and ordered to be read a second time on April 20, when witnesses were ordered to attend.

The Marquis of LANSDOWN gave notice, that on an early day he would move an Address to the Crown, requesting that his Majesty's Consuls in South America be directed to furnish a statement of the exports of the precious Metals from the districts with which they were connected.

Petitions Presented. By the Duke of GORDON, from Ross-shire, praying for a Repeal of the Malt Tax.—Laid on the Table. By the Earl of CARNARVON, from Owners and Occupiers of Land in the County of Wilts, praying that as to the Poor-laws, Ireland might be placed on the same footing as England. By the Duke of NORFOLK, from Sheffield, praying for Free Trade to India and China:—By the Duke of GLOUCESTER, from Gloucester, to the same effect:—By the Marquis of LANSDOWN to the same effect, from Pollockshaw, Perth, Hastingden, and the Chamber of Commerce, Dublin. By Lord GRENVILLE, from Wellington, against the Truck System. By the Earl of ESSEX, from Wellingborough, praying for a revision of the Penal Laws. By Lord WHARNCLIFFE, from the Fishermen of Robinhood's Bay, praying for a continuation of the Fishery Bounties. By Lord HOLLAND, from Archibald Hamilton Rowan, and George Cockburn, complaining of the manner of Registering Marriages in the North of Ireland, and praying a remedy.

STANDING ORDERS.] The Earl of *Rosslyn* moved an amendment in the Standing Order No. 210, which was introduced by Lord Lauderdale with a view to check the introduction of bills for making Joint-stock companies for purposes of idle speculation. Almost every public improvement for which a bill was likely to be necessary was specifically excepted out of the operation of the Order. It became now requisite, however, to make some further exceptions of other works, of which mention was at first omitted, but which were strictly within the intention of the former exceptions.—Amendment, including in the exceptions Wharfs, Stairs or Landing-places, and Market-houses or Market-places, agreed to.

PETITIONS.—MALT TAX.] Lord *Suffield*, in presenting three Petitions from certain inhabitants of Norfolk, praying for a repeal of the Malt Tax, said, he should take that opportunity to explain what he had already stated when presenting a petition of a similar nature on Thursday. The petitioners, on both occasions, complained of the distress which at present affected the agriculturists; they alluded to the burthens under which they suffered, but more particularly they complained of the Malt-tax. He had likewise stated, that the sympathy evinced by the yeomen and farmers of Norfolk for the distresses of the labouring population was highly creditable to their feelings. With respect to the Poor-laws, he thought that they were not so well administered as they might be; but it was to the gentry and magistrates, to the higher classes of society, that he looked for the improvement of them rather than to the farmers. He had been present at a most respectable meeting of the county of Norfolk on the 16th of January last, when all who attended were unanimous in desiring a repeal of the Malt-tax,—the only difference of opinion which existed referred to the amount of taxation from which they expected to be relieved. The whole county of Norfolk, he was persuaded, desired the abolition of this tax, principally because it peculiarly pressed upon the poor.

The Duke of *Wellington* professed to have a perfect recollection of what the noble Lord had said upon the presentation of the former petition. To the best of his belief, he had expressed himself to the same purport, if not in the same words, then, as he had done upon the present occasion. He remembered his having referred to the ineffectual administration of the Poor-laws in Norfolk, and specified the 9th Geo. 3rd as the source to which they were to look for a remedy.

CHRISTIANS NATIVES OF INDIA.] The Earl of *Carlisle* presented a Petition from the Christian inhabitants of Calcutta, who were born of European fathers and native mothers, complaining of various disqualifications to which they had been subject since the first settlement of the East India Company. They stated that they were excluded from privileges to which both natives and Europeans were indiscriminately admitted. They were incapacitated from serving in the civil, military, or marine service of the Company, as the preamble of every appointment was required to set forth that the person proposed was not the son of a native and European. The petitioners were likewise disqualified from holding the King's commission in India, nor could they hold offices of trust and emolument in any department whatever.

Lord *Ellenborough* said, that the present was not a favourable opportunity for entering into a discussion on the subject of the Petition. This much, however, he might observe, that he felt, as all who had any feeling must do, for the unfortunate situation of the class to which the petitioners belonged, and was desirous to ameliorate their condition as far as was possible, without violating a principle that was essential to the maintenance of British Government in India. With regard to some of the practical grievances described in the petition, for example, in cases of wills and succession, he saw no reason why they should not be remedied. It should, however, be borne in mind, that the petitioners did not require an equality of civil rights, but an admission to privileges to which the native population at large were not entitled, and this they demanded notwithstanding they were the offspring of Europeans by native women. He could only add, that their representations had received, and would continue to receive, the most attentive consideration from the Board of Control and the Directors of the East India Company. Their grievances should certainly be ameliorated as far as was consistent with the well-being of the people generally, and the observance of the principle to which he had already alluded.

The Earl of *Carlisle* inquired if there was any difference between the children of half-castes and the half-castes themselves?

Lord *Ellenborough* said, the latter were considered as natives, and were eligible to all the offices in the Company's service to which the natives were eligible. The parties to the petition were illegitimate, being of half-caste, and were not eligible to those appointments.

PETITION FROM BIRMINGHAM—DISTRESS.] The Earl of *Radnor* said, he had a Petition to present from Birmingham, which was entitled to the greatest attention and consideration on account of the number and respectability of the names which were annexed to it. It was signed by 25,000 persons. It embraced a variety of topics, such as Parliamentary Reform, and a revision of Taxation, but it derived its chief importance, in his view, because the distress of the petitioners was the foundation of their prayer,—a point which ought by no means to be overlooked, as they had already heard so much of the abatement of that distress, in support of which assertion Birmingham itself had been adduced as an example. The triumphant statements sent forth from another place had rendered him cautious as to how far he should be warranted in crediting the averments of the petitioners to the contrary; nor was it until he had made personal inquiries on the subject, that he fully assented to the truth of their representations. He was sorry to say, that the representations of returning prosperity made elsewhere were not borne out by his information. It had been pretended that the change in the currency in 1819 had not caused the fall of prices; but those who said so might as well affirm that there was no depreciation whatever. When the bill of 1819 came into operation, it was a remarkable coincidence that prices had fallen, while they rose in the same proportion when its provisions were neutralized by the bill of 1822. The main point, however, was the distress, and he should most sincerely rejoice if it could be ascertained that the alleged revival of the agricultural and manufacturing interests originated in any permanent source of prosperity. It had been also said, that the depression was partially attributable to the introduction of steam navigation, which brought the produce of the most fertile land of Ireland and Scotland in sudden competition with the produce of the inferior soil of England. Now these causes would not account for the distress of the manufacturers, except that inasmuch as the pressure was upon land, the effect was proportionate upon manufactures. It was also said that machinery was a cause of distress by the over-production which it occasioned, but if this were so, it formed an additional reason why we ought not to continue our present system of Corn-laws. But he could show to their Lordships that distress existed in several branches of manufacture, and a depreciation took place in a variety of articles, in the manufacture of which the same machinery was used at present that had been in use for the last twenty-eight years. [The noble Lord here read extracts of letters from manufacturers to show that some articles of brass-foundery had been reduced in price from 5*s*. 6*d*. and 6*s*. per dozen to 2*s*. and 3*s*.] It had been stated in another place that Birmingham had recently much improved, and great stress was laid on the advance that had taken place in ground-rents, and the increase on certain tolls in that neighbourhood. The advance on ground-rents was in instances where valuable houses had been built, and the increase of tolls was to be explained by the fact of a valuable coal-mine having been opened in the neighbourhood. It had been said that the increase of four-wheeled carriages since 1825 was a proof of increased prosperity, but it should be recollected that the Assessed Taxes had been reduced by half since then, and the increase was not in the number of large carriages, but in the small four-wheeled one-horse carriages, which were now very common. He could prove also by documents which he held in his hand, that the condition of the labouring classes at Birmingham was much worse at present than it had been for many years, except the years 1817 and 1818. But the first of those years was one of great scarcity. Corn was then 17*s.* a bushel—it was now only 7*s.* 6*d.* At that time the number of out-door poor to be relieved at Birmingham was 5,300—at present it was 3,800. But looking at the difference in the price of corn at both periods, the number of out-door poor to be relieved at present showed a greater pressure of distress than existed in 1817, and in this respect the statement of the petitioners was fully borne out. The petitioners complained of the effect of the Corn-laws, and they also complained of Free Trade; but in this he owned he did not concur with them, for the Free-trade system was that by which they had the best chance of getting a market for their manufactures.

The Duke of *Wellington* said, it was very unfortunate that noble Lords departed from that rule of the House which was opposed to any direct allusion to what was said in former debates, or to what passed in the other House. Had the noble Earl attended to that rule he would not have fallen into the errors he had committed. It was impossible for his right hon. friend to know the condition of the people except from the public returns, and he conceived that in the statement he made he was perfectly justified. The noble Lord, in asserting that the people of Birmingham suffered more now than in 1817, and in appealing to the number receiving assistance from the poor-rates, for the purpose of sustaining that assertion, referred to the prices of the two periods, and attributed the existing distress to the difference between them. But the noble Lord could scarcely compare the prices of the two periods with any accuracy or justice, when he remembered that the prices of the one were estimated in a paper, the other in a metallic currency. He could not help again protesting against the practice of thus, at the end of three or four weeks, or three or four months, adverting to what took place in the other House and in that House during former debates, instead of confining their discussions to the materials regularly brought under their consideration.

Lord *Holland* said, since the strict order was that they should not make any allusion to what took place in the other House, or to any former debates in that House, which in his opinion was a nice regulation—he wished to see it strictly observed. The noble Duke had complained of his noble friend as being irregular, when, if there were one question more than another which might excuse an allusion to such occurrence, it would be a petition upon a question of facts affecting the condition of the people. His noble friend did not state any particular date or place, and had he spoken of the conversation generally, as having occurred elsewhere, he might have escaped all imputation of disorder. In short, he would contend, that nothing could be more parliamentary than was his noble friend.

The Earl of *Radnor* expressed his concurrence with the sentiments of the noble Duke as to the rule of Parliament he had alluded to, but differed from the noble Duke as to the possibility of comparing prices.

Petition laid on the Table.

CORN LAWS.] Lord *King* rose to move a series of Resolutions on the subject of the Corn-laws. He wished to place upon their Lordships' Journals a statement of the views which he took upon that most important subject; and whether at the present time they agreed with him or not, he felt confident, that at no distant time they would feel the justice of those principles which he advocated, and be compelled to adopt them ultimately, with a view to the welfare of the people. In approaching this question, it was at least satisfactory that it had been cleared of one of the difficulties which stood in its way. It was now universally admitted that one great cause of the existing distress was the too great pressure at present weighing down the productive industry of the country. Mr. Huskisson—he might mention that

Gentleman's name, as he did not tell the place wherein the language attributed to him was delivered—had said, (and he was a great authority upon such subjects) that it was the too great burthen upon the productive industry of the people which was the great cause of the existing distress—not the occasional, but the habitual and permanent pressure upon the productive industry of the people. Such being the admitted state of the case, he must complain of the right hon. Gentleman for deserting his own principles—why did he not carry the matter to its full and legitimate extent—why did he not at once say, that the Corn-laws were the grand source of that pressure? It would be easy to prove that everything else which affected the productive industry of the people was not in the aggregate equal to the weight of the Corn-laws alone. They affected the enjoyments of the people at least to the extent of twenty to five-and-twenty per cent, for without them the cost at which corn could be obtained would be about 50*s.* During the ten years between the French and American wars, the usual price was 48*s.* Supposing that 12,000,000 quarters of wheat were annually consumed, and that the average price was from 15*s.* to 20*s.* more than what he had stated, which was about the truth, then it was plain that the Corn-laws levied a tax on the people to the amount of from nine to twelve millions a year, being greater in amount than the taxes on soap, leather, and on all other articles of necessary consumption. A right hon. Gentleman had said in another place, that it should be the policy of the Government of a great nation to place the people committed to its charge in such a situation as that their own soil should produce their food. For his part, he could not conceive any policy more lame or timid, or one more calculated to retard the progress of society. True policy demanded that none but good land should be cultivated. He could not imagine any thing more monstrous than to hear it asserted that the people of this country should not get their Corn from Poland, from Russia, or from any other place, wherever it could be found the cheapest, rather than from Hampshire or from other places in which its quality might be inferior and its price higher. He knew it might be said, that we ought to render ourselves independent of the support of other countries—that was a convenient cry to raise—it would form an imposing inscription upon a banner—but what compensation would it prove to a population half-fed. It might be said, that if we allowed ourselves to become dependent upon other countries for food, they might at a most critical moment stop our supplies, and that by discouraging the growth of corn in this case, we drove matters to that state in which a small supply would necessarily become the habitual state of the Corn market; but what danger would there be of that prohibition so long as the interests of all foreign nations led them to supply us with all that we were willing to take off their hands, and in return to supply them with all the manufactured goods which they could possibly desire. After adverting to the bill of 1815, and the impossibility of adhering to the scale of duties and of averages there laid down, he proceeded to contend that the present distress arose from the low rates of profit and the inadequate remuneration of labour. With a greatly increased quantity of trade, there might be a much less amount of nett profit: thus, if the raw material of a piece of calico were 2*s.* 6*d.*, and it formerly sold on the Continent for 10*s.*, the profit upon it would be 7*s.* 6*d.*; but if the value of the raw material were lowered to 1*s.* 6*d.*, and the piece of calico sold for only 5*s.*, the profit would only be 3*s.* 6*d.* upon each piece; and if two pieces were sold instead of one, the profit would not equal what it had before been upon one piece. How then were we still able to compete with the foreigner? First, by being satisfied with reduced profits; secondly, by having to pay greatly reduced wages; thirdly, by the substitution of machinery. The consequence was, the most miserable remuneration for labour, and the most inadequate return for capital, reacting on the landed interest, and occasioning the present want of demand for farms of all kinds, but especially for grass lands. It had been stated in another place, that at present one-third less meat was consumed in Birmingham than in prosperous times; and accounts of the same description from Manchester and other manufacturing places would, no doubt, present the same result. Profits were the criterion of prosperity, and how were they affected by the Corn-laws? In several ways:—1st. By the cessation of that demand for manufactures and produce, which would exist if the Corn-laws did not exist. 2nd. By the different level of prices occasioned by the Corn-laws making corn dear in this country and cheap abroad. Rival manufacturers were thus created in foreign countries, who availed themselves of the low rate of wages there, and were enabled to enter into successful competition. 3rd. By employing labour on the cultivation of poor land, on which the return for capital was, of course, much less than on good land. The level of profit on all capital was determined by the return for capital employed in the cultivation of the least productive soils: if, therefore, bad soils were cultivated, the profit on capital was reduced. What advantages did we not enjoy, were we but at liberty to use them! We were in possession of an unbounded supply of coal, of the most ingeniously contrived machinery, and of a very extensive amount of capital. These advantages were very great if we could only be prevailed upon to use them; for with them the produce of England would always exchange against a greater amount of the produce of any other country not possessing the same advantages. Suppose, for instance, that the labour of four Englishmen, aided by machinery, would produce manufactured produce which would exchange against the produce of the labour of eight Russians when applied to the soil, was it not palpably to the advantage of England to make this exchange, since the result was double profits to the capital of England. If, however, they persisted in employing capital where it was unprofitable,—if they persisted in laying it out upon the cultivation of bad land, thus realizing little or no return, and bringing down all profits to a level with it,—the exchange of commodities between this and foreign countries must be disadvantageous. Well then, if this system were generally disadvantageous to the country, to what particular persons was it advantageous? Why, it seemed that the English landlords thought it was advantageous to them. This, however, he had no hesitation in characterizing as one of the greatest mistakes that could be made. It was manifestly for the interest of the land-owner to admit foreign Corn, and to allow the industry of the country to have free and fair play. For instance, if this were done, the poor-rates would be instantly diminished. It was perfectly well known that one-fifth only of the produce of the land went to the landlord: and for this small profit what a heavy and disproportionate burthen was put upon the community. He did think that under the word "protection," if carefully considered, they could have a history of the folly of people, of parliaments, and of governments, all over the world. Under this word "protection," governments had in all times oppressed the industry of the countries over which they presided. Under the pretence of protection, the industry of France had been oppressed from the time of Colbert downwards. The history of Spain consisted of nothing but protections. Little Holland alone, in its best times, was not so protected; and while it was not, its history might shame the greatest monarchies in the world. In England we had been protected from the days of Charles 2nd, down to the time of the present Lord-protectors. At one period of the history of this country bounties were the principal feature of our Corn-laws. At that period we paid others for being good enough to eat our food. Now, on the contrary, we had turned round, and imposed restrictions on foreign Corn. When we wanted manufactures we excluded them; now that we wanted Corn we excluded that. There was unfortunately one point in which these two principles agreed,—the country paid and suffered for both of them, Here he would leave the subject of protection. He might be asked, however, whether it would be possible to admit the principle of Free Trade? He begged to inquire whether it was possible for the country to go on without it? He was persuaded that the prosperity of this country depended upon unrestricted commerce. What was Free Trade but a saving of labour? And what was restriction but a waste of it? The principle of the prosperity of a country was the perfection of the economy of labour—producing the greatest quantity of goods with the least amount of labour. That state of things could not be established without admitting foreign produce in return for our manufactures, and at this moment we were competing with the foreigner, who had cheap Corn on his side, while on our side we had machinery and capital. Capital was daily increasing abroad, and machinery in the course of introduction; so that unless we had Corn as cheap as our neighbours, we must in the end be beaten in the contest. Those who decried the principles of Free Trade, meant that every country should do every thing for itself. America, according to them, should not cultivate her soil, but make cottons and hardware. France ought, by the same rule, to neglect the culture of the vine and the olive, and strive to surpass England in making iron. England, instead of endeavouring to buy Corn with cotton and hardware, should forego the use of steam and machinery, and employ all her artizans to dig up the heaths of the country. The principle of these Gentlemen, pushed to its full extent, would prevent division of labour, and would compel every man to procure every thing he wanted for himself. But foolish as was the principle when pushed through all its consequences, it was not equal to the wisdom of a young statesman of three-score, called the Pope. His Holiness beat all the sages of our country hollow, and deserved to be held up as a model for imitation. Sensible of the necessity of employment, he issued a decree to prevent the importation of all iron implements for tillage, and no doubt his Holiness boasted that he had provided employment for all the starving peasantry of the Campagna di Roma, and so perhaps he did, but it was by adding to their trouble. His Holiness was not aware that such labour was a painful waste, and but for the decree of his Holiness, more would have been obtained at a less cost. His conduct was like the memorable scheme of digging holes and filling them up. His Lordship then proceeded to answer the question, whether it was fit to sacrifice the capital embarked in the cultivation of poor soils? He answered, that the country would be better without such capital so employed than with it. If he were asked why he did not leave the question at rest, his reply was, that it would never be at rest while the Corn-laws were in force, which inflicted so much injustice and occasioned so much distress. The subject was well understood out of doors, if not in Parliament, and the people were well aware of the contrast presented by the last fifteen years of peace, and the ten prosperous years which followed the American war and preceded that with France. The Corn-laws put the prosperity of the country as it were in Chancery; it could not advance: it was like the motionless person described by the Poet under the power of a wizard—

> "He strove to move, while waved the wizard o'er,
> But though he strove, moved not one inch the more."

The country was like an unhappy suitor in Chancery—within the power of a wizard and unable to move. As long as the Corn-laws existed, the country could not advance. It had been said by somebody, as his Lordship saw by the newspapers, he did not mean to impute such nonsense to the noble Duke (Wellington) that "the Corn-laws worked well—that the crops had been deficient; but that no blame could be imputed to the Corn-laws." He did not know in what way it could be truly said that they worked well when the "neat post waggon" of the State, instead of running on the nail, was imbedded in mud up to the nave. Was it a proof that the Corn-laws worked well that three millions and a half of taxes had been just repealed? He had never heard of the repeal of taxes while the machinery of Government worked well. During the ten years preceding the war of 1792, Corn was admitted in large quantities, at a nominal duty of sixpence per quarter, and the country was then under the administration of Mr. Pitt. He, for one, preferred what some might call the ignorant simplicity of Mr. Pitt to the elaborate net-work of the noble Duke. The noble Duke might value himself upon the perfection of the machinery of his Government: it was, no doubt, very complete; but, like the air-pump, its very perfectness was the destruction of the unhappy animal confined in it. Some other person, in the course of a late debate (not the noble Duke), had admitted that "machinery was to a considerable degree injurious to the working classes." This was not by any means the first time it had been said that machinery produced distress; but the true reason why the lower orders were out of work was, the existence of the Corn-laws. The invention of the steam-engine, instead of throwing people out of employ, had been the cause of the employment of thousands and tens of thousands. This result had been produced by a corresponding increase of demand; and if now we took Corn in exchange for goods, the means of feeding the population would instantly be afforded. The noble Duke, on a former occasion, had talked of the necessity of giving religious peace, and by an alteration of the Corn-laws he would produce peace instead of discontent arising from distress. Before he moved his Resolutions, he begged to remark, that in them he had made no allusion to any fixed duty, because it was necessary, in the first instance, to agree upon the principle of an alteration. A noble Earl (Malmesbury), on a former day, had objected to stirring the question; but why was it not to be stirred? and sure he was, that it would not be allowed to rest, as long as the people were suffering under the infliction of a system so injurious and oppressive. The noble Earl had lately shown a strong disposition to nibble at the averages, yet, in whatever form the subject was brought forward by others, he objected to its discussion: if upon petition it was interlocutory, and if in the form of a regular motion, it was injudicious. His Lordship concluded by reading and moving the following Resolutions:—

"That all regulations, duties, and prohibitions, which prevent the admission of corn, and increase the price of that necessary of life, are impolitic and unjust.

"A regulation of the trade in Corn, for the pretended benefit of the public, is a most impolitic interference of Government in the management of the most important of all trades, which Government is wholly incompetent to direct, and which it never can attempt to regulate without the greatest detriment to the public interests.

"A duty levied upon Corn for the purpose of raising a revenue, is the worst of all possible taxes—being, in effect, not less destructive than a curse of sterility inflicted on the soil.

"An absolute prohibition subjects the consumer to the most pernicious and the most odious of all monopolies.

"That Great Britain, by the abundant supply of coals, by the advantages of machinery, by the accumulation of capital, and by superior skill and industry, possesses the rare and inestimable advantage of being able to make the labour of her people more efficient and more valuable than that of any other nation in the world. More efficient, because, when that labour is applied in directing the powers of steam and of machinery, it produces more goods than the same quantity of labour can produce elsewhere; and it is more valuable, because that produce will exchange for the produce of more labour in any other country, and in this manner it highly contributes to the increase of public wealth and individual enjoyment. That it is therefore the true policy of England to encourage the full developement of her most productive industry, to avail herself of all her great natural and acquired advantages. That it belongs only to the most perverse ignorance, and to the most culpable misrule, wilfully to preclude the country from the fullest enjoyment of these benefits, by prohibiting, under heavy duties (unless when at a famine price), the admission of Corn from foreign countries, whose labour applied to more fertile soils can supply that article of first necessity at a far cheaper rate than British labour, when applied to the least fertile soil under cultivation in this kingdom can produce.

"That since the enactment of the Corn-laws in 1815, the whole of that long period (a period also of uninterrupted peace) has been marked by an unusually low rate of profit in all trades, by an inadequate reward of labour, by the frequent recurrence of distress in the manufacturing districts, and by the heavy pressure of Poor-rates in the agricultural counties—a state of things the most opposite to the increasing wealth and comfort which so eminently distinguished the ten prosperous years succeeding the peace of 1782, when foreign wheat was, without any interruption, admitted at a nominal duty of sixpence the quarter.

"That great and flourishing manufactures, by the superior reward of labour which they are able to afford, tend most materially to improve the condition of all the labouring classes, by the constant demand for the increasing population of their own, and of the agricultural districts; they provide also the best market for every description of agricultural produce; they furnish the most ample and the most profitable employment for the new accumulations of capital; they afford the means of promoting to an indefinite extent, the general prosperity and wealth of the country; or if there be any limit, that limit is only determined by the returns of raw produce which the great market of the world is enabled to supply.

"That the impediments which have been interposed by law to the admission of foreign Corn have impaired, and, in some degree, destroyed the advantages which nature and industry had bestowed upon us; they have checked the demand for our produce; they have greatly repressed the rate of all profits, because the rate of profits in every country must be regulated by the return of that portion of the national capital which is employed in the cultivation of the least fertile soils; they have prevented our labourers from receiving their just reward, by confining them nearly to the home market, when a cheaper supply could be procured elsewhere; they have rendered almost unavailing the advantages which must otherwise have infallibly attended the improvements of machinery, and the superior facilities of manufacture; they have checked the prosperity of the country, impoverished all the productive classes, and by the most perverse policy compelled our natural customers to become our competitors, our rivals, and almost our enemies."

The Earl of *Malmesbury* would not have risen had he not been personally called upon by the noble Lord. He denied that he had deprecated all discussions on the present Corn-laws: he had opposed them originally tooth and nail, but nevertheless he did not intend to move for the repeal of them, for a very powerful reason, stated in one of the interlocutory discussions on a petition on a former night, viz. that imperfect protection was better than constant alteration; for while nothing was fixed and settled, landlords and tenants could come to no definite and clear understanding. He was quite aware that the march of intellect out of doors had rendered people competent to understand and discuss all matters of State and Government, and among them the Corn-laws: he was glad of it, because he should have an opportunity of reasoning with them. The foundation of the noble Lord's Resolutions was the supposition that entire prohibition existed, but the introduction of Corn was not prohibited, and he appealed to documents on the Table to show that within the last two years, a very large quantity of grain had been imported, notwithstanding the existence of the Corn-laws. Within the last eighteen months no less than 2,200,000 quarters of foreign wheat had been imported—that was our prohibition, that was our system of monopoly. But besides, there had been a new description of importation—he meant from Ireland, from which place during the last two years 4,600,000 quarters had been imported. When he recollected these things, he really was astonished at noble Lords talking of prohibition. Nearly 3,000,000 quarters of foreign grain had been imported within the two last years. Now, suppose he had imported 3,000,000 pairs of shoes, what would the shoemakers say? Would not their trade be affected, and would not they cry out for protection? With respect to the averages, he thought Ireland ought to be included in the calculations on which they were made up, and that was the reason of his moving the other night for papers relating to them. It was said that these importations gave a boon to the English landlords of 5*s*. per quarter; but he contended that it was the reverse, and that not one-tenth of the grain really imported was calculated among the averages. Their machinery for taking the averages was imperfect, and he contended they ought to see that these averages were properly taken. He thought our present distresses ought not to have been attempted to be fathered upon the Corn-laws, which had no more to do with them than the man in the moon. The noble Baron had appealed to the authority of a right hon. Gentleman: he (Lord Malmesbury) respected the talents of the right hon. Gentleman, and knew him to be a most amiable man in private life; but on this subject he was the last person to be referred to as an authority. He well remembered who presided in 1825 at the Board of Trade; he recollected the attack then made on the agricultural interests—an attack continued up to the present time. In that year, when a great degree of distress prevailed at Manchester, the Earl of Liverpool was asked whether he would give the people there any money to relieve them? The noble Earl answered no, but said he had the *panacea* in his pocket, and that was, to let the foreign Corn out of bond. From that time to the present the two great interests of the country had been arrayed against each other—they were wrong in this—the welfare of each depended on the other, and live and let live ought to be their mutual desire. When the noble Baron talked of eight Russians producing corn which could be purchased by the manufacturing labour of four Englishmen—if he meant to take the Corn from the former, he should be prepared to go to them, and ask them to pay the Poor-rates and the Land-tax, which now weighed heavily on this country, and the latter of which could not be repealed. The noble Baron had referred to the Prussian liberality, but surely he ought to have recollected the fragment of a despatch, which looked like a threat from the Prussian minister of fearful consequences, if we did not let in their Corn. But if we should afterwards go to war, and his interest lay the other way, he might refuse to let us have Corn, so that we might be deprived of a supply of the primary article of life. Under all these circumstances, was it not better to be independent of foreign powers for the supply of this necessary of life? It did not follow from this that he was a friend of prohibition—there was a point between that and unlimited introduction of foreign Corn, to which, for the benefit of both the great interests of this country, it was desirable to adhere. Noble Lords seemed agreed that 60*s*. was the point that would afford a fair remuneration for the growth of grain. That was not for the protection of the landlords, but for the protection of those who grew the Corn

When he heard such stuff as that rent was the surplus profit of the land, he could not forbear asking, what would be the effect of doing away with all but the profits to the occupier? What would be the effect of such a state of things? Every landowner must cultivate his own estates, and as it was not likely he would actually cultivate them in person, but would employ a bailiff, the yeomanry would be destroyed. Would not that be an evil? Was not an independent tenantry one of the finest bodies of men in any country? In his opinion it was, and it would be a great evil to destroy them, and leave none but landlords, middlemen, and peasantry. The noble Baron had talked of monopoly. That word, like liberality, free trade, and reciprocity, had many meanings. What monopoly was it, to admit, as we had admitted within the last few years, 8,000,000 of quarters of grain? If their Lordships would calculate that at 60*s.* for wheat, 32*s.* for barley, and 40*s.* for peas and beans, they would find 16,000,000 of foreign produce brought into our market to compete with our own produce. If there was free trade there ought to be free labour; but he believed that if any noble Lord went to his tailor or shoemaker, and said that his coat or shoes ought to be cheaper because the tax on leather was reduced, and because there was no duty on the importation of foreign wool, he would be told that their articles could not be sold cheaper, for there was a combination among the workmen, who would not work for less than the present wages, and who would not let others work. But there was no such thing as free labour. No one could work in the City of London (which had lately sent up a petition clamouring for free trade) except he was a freeman. Was that freedom or monopoly? Why was the manufacturing interest distressed? Why, but because the agricultural interest, who were their best customers, were distressed. The manufacturing interest had not to bear the same burthens as the agricultural interest, who paid eight-tenths of the poor-rates and were subjected to all the vicissitudes of bad seasons. In all quarters of the world a duty was imposed upon the importation of foreign Corn. At New York the duty was 10*s.* per quarter, which, considering the circumstances of the country, and the little amount of public debt and taxation, was very great. Even in Holland, ever since that country had been united to an important agricultural district, a duty had been imposed upon foreign grain. France acted upon the same principle; and the arguments of the noble Baron were applicable only to an Utopian state of things. When their Lordships could reduce to nothing 800 millions of debt—when they could take off the poor-rates, they might talk of free trade in Corn; but till that time they must adapt themselves to the circumstances of the day. He thought it cruel to impute the present distress to the landlords. He repeated that all nations adopted systems of restrictions, and he called on their Lordships so far to act on the same principle as to preserve our independence of other nations with respect to the production of the first necessary article of life.

Lord *Mountcashel* did not agree with the noble Baron as to the waste of labour in the cultivation of poor lands; for he had seen such lands maintain thousands of persons in Ireland, who, but for them, could not have found the means of subsistence. Other countries cultivated their lands to the fullest extent. In China he had heard that the highest tops of the mountains were cultivated, and why should not our waste lands be cultivated?

The Earl of *Rosebery* entirely dissented from the deductions of the noble Baron, not only because they were founded upon speculative and untried doctrines, but because he thought that in the peculiar circumstances in which the country was placed, it was necessary for our prosperity that a protection for the domestic agriculture of the kingdom should be maintained, and also that the principle of the existing laws (deciding the amount of duty payable on the importation of foreign Corn according to the price of the commodity in the home market, by an ascending and descending scale) was the most beneficial to the community at large that it was possible to adopt, and the least injurious to any part of it. Without entering into any detail of argument on the subject, the principle of his objection to any attempt at the establishment of a free trade in Corn was, first, his conviction that in a long series of years the price to the home consumer would not be less than it was under the existing system if the Corn-laws were abolished, or but very little less; and even if the price were reduced, wages would fall along with it, so that the poor would derive no advantage from a change; and next, that if the average price of some years were reduced, the vast fluctuation in years of scarcity would be increased, if we relied upon foreign countries for a supply of Corn for the support of a large portion of our population. But other objections might be stated on this score, that he did not believe a really free trade in Corn could be relied on. In seasons of scarcity in foreign countries, those countries would prohibit an exportation of grain to us, and in seasons of scarcity here, they would avail themselves of our want for purposes of revenue, if not through feelings of hostility; they would raise the tax on the exportation of grain, so as greatly to enhance its price in the British market. But if he were induced to concede, for the sake of argument, that for a number of years the principle of a free trade in corn could be constantly adhered to, he might say, that when we had so large a portion of our population dependent upon foreign countries for a supply of Corn, this immense demand would tend to enhance the price of the article abroad to such a degree as nearly to bring it up to the present price of its production at home. Our great object (as expressed in the Speech put into the mouth of his Majesty at the close of the Session of Parliament of 1828) should be, to bottom the Corn-laws on the principle of "combining adequate protection for domestic agriculture with due precaution against the consequences of a deficient harvest," affording a sufficient supply in years of dearth and scarcity. That was the sound principle on which to establish a system of Corn-laws. The real object, which was, to produce prosperity in the country, was not to be attained by a little increase or diminution in the price of Corn, but it was to be accomplished by securing as great a quantity of employment as possible for the population. Some who advocated a change in the present system (even the noble Lord himself appeared to hint at it) still talked of a duty, which he suppossd was to be a fixed one. Now, he thought that a fixed duty upon the importation of foreign Corn would be of all others the most variable and subject to change. Mr. Ricardo thought that a duty of 10*s.* a quarter on foreign wheat would be a fair amount to fix upon, and grounded his opinion upon a calculation into which he entered with respect to the charges which affected land in this country, as compared with and above those affecting land in other countries. He begged to ask the supporters of a fixed duty of 10*s.* a quarter on wheat (without referring to seasons of great scarcity), whether Government could have persevered in levying such a duty in November 1828, with a season resembling one of scarcity, though not of actual famine, wheat being then at 74*s.* and a fraction, and when a large number of quarters of foreign grain was imported at a nominal duty of 1*s.*? He could not conceive a fixed duty offering a fair protection to the grower under ordinary circumstances, which it would be possible to adhere to in seasons of distress and scarcity. He must here add, that it appeared to him, independently of the consideration of all other matters, that the British farmer and occupier of land was entitled, on principles of strict justice, to a protecting duty. In all other commodities, with the exception of Corn, the persons producing them had all the advantage of the utmost scarcity that could arise in their supply. Not so the grower of Corn, which, being a prime necessary of life, it was the principle of the legislature to take off the protection as soon as the price reached an amount likely to be distressing to the consumer. Thus the farmer, who in years of scarcity had but little produce to sell, was not allowed to obtain an increased price for it. He could safely say, that there was no object which he had more at heart than the improvement of the condition of the lower orders. He could assure their Lordships that he was actuated by no base feeling of self interest in the course he took; but thinking with the noble Earl that it was impossible to separate one class of the public from another in a matter so important to the prosperity of all, and believing the present system to be conducive to the advantage of the community at large, he felt disposed to support it in preference to plans of a different character.

The Earl of *Carnarvon* observed, that if a general repeal of all protections affecting manufactures, as well as those by which agriculture was guarded, could be accomplished, he should have no objection to proceed on that broad and general principle. But feeling that such a state of things, however desirable, could not be brought about, and hoping that, year after year, they would continue to approach that desirable situation, at least so far as it was likely to be really serviceable to the country, he must object to withdrawing at once, and that too in a time of great difficulty and distress, the protection which the agricultural interest at present enjoyed.

The Duke of *Wellington* said, he felt it necessary to say one or two words on this Motion, more particularly after what the noble Earl below him had said, with reference to what had fallen from him (the Duke of Wellington) in the course of the last Session. He agreed entirely with the noble Baron in wishing to have plenty of cheap Corn; because he thought it would be highly beneficial to the country, and would tend to improve the condition of every class of society. But he was anxious to see that effect produced in a manner different from that pointed out by the noble Baron. He wished to see plenty of provisions created in a way that would confer benefit and advantage on the native agriculturist; he wished to see that plenty derived from the improvement of Ireland, and from the increase of her productions. If cheap provisions were produced by these means, great national good must be the result. And he would say farther, that a plentiful and steady supply of provisions could not be produced by any other means. In reply to the observations of the noble Baron, he would call on their Lordships to look at the Returns which had been laid before that and the other House of Parliament. Let them advert to the long period, from 1791 to 1815, during the whole of which time the ports were open, at a duty of 24*s.* per quarter when the price was beyond 50*s.*, which duty was continued up to 1804, and 22*s.* when beyond 60*s.*, which was the case up to 1815,—let them advert to that very long period, and they would find that there was not one single cheap year of Corn. It never was below the price at which importation was prohibited. If their Lordships would refer to last year, they would perceive that Corn had been in the course of that year as high as 74*s.*; and his noble friend had stated what the amount of grain imported was,—namely, 8,000,000 of quarters of grain of different kinds, of which 3,500,000 quarters were wheat. Now, he begged leave to ask, did the price of Corn come down in consequence? It did not, although there was an importation, in one week, to the amount of 400,000 quarters. The price, however, still remained the same—it experienced no fall. The noble Baron had made a sort of attack on him with reference to the measure, connected with this subject, which he had the honour to introduce some time since into that House. The noble Baron affirmed that the measure had not worked well. Now he would assert that the measure thus noticed had worked well. It protected the agriculturist; by its operation the produce of the country was rendered sufficient for its consumption; and it prevented the price from rising to an exorbitant rate. Such was the fact, while it was equally true that the introduction of foreign Corn to this country did not bring down the high price of from 70*s.* to 74*s.* a quarter. Their Lordships might look at the subject in another point of view. Let them look at the price of wheat at Dantzic from 1791 to 1815, and let them also consider the price at which it was sold in recent years, when it was required in this country. In January, 1826, the price of wheat at Dantzic was 18*s.* 11*d.*; in June it was 19*s.* 5*d.*; in December, it was 27*s.* 3*d.*; in January, 1827, 25*s.* 7*d.*; in June it was 22*s.* 4*d.*; in December, 22*s.* 9*d.*; and in December 1828, it was 57*s.* 8*d.* Was it owing to any deficiency of the harvest in Poland that this rise took place? No such thing; it was caused by the demand in this country. Was that the mode of procuring cheap Corn? It was the very reverse, for our demand had the effect of raising the price. In January 1829, the price was 58*s.* 8*d.*, and in June it was 45*s.* 8*d.*,—an alteration which arose from the circumstance of the harvest in this country not turning out so badly as was expected. In December 1829, the price was 30*s.* 8*d.*, being a fall of nearly one-half between January and December. Why, he would ask their Lordships, had such a fall taken place in the price of wheat at Dantzic? Simply because the demand for it in this country had ceased. This clearly substantiated his argument that the high price was occasioned on the Continent by the demand of this country. Then he would say, if we are to pay a high price for Corn, let us give it to the English or Irish agriculturist, and not to the foreigner. That was exactly the principle of the existing Corn-law; and he would assert that it had worked well. It had one great advantage which preceding Corn-laws could not boast—it had been carried into execution without interruption, while the previous law and the amended law had been infringed on by the Government every year, or every second year, by the introduction of Corn without any duty, to the advantage of certain individuals, but without any advantage to the agriculturist. Another effect of the present Corn-law was to give protection to the agricultural interest of this country; and in his mind, it was a most important point to effect that object. It was a great political object, not only when viewed with reference to the duties which the nobility and gentry throughout the empire were called on to perform, but it was also an object of the first importance, so far as the interests of the people of this country were concerned, in order to ensure them a certain supply of Corn of home growth, whether the year happened to be unproductive or otherwise. The noble Baron ridiculed the idea of a duty being levied abroad on foreign Corn about to be shipped to this country. But there was nothing ridiculous in the matter; for the noble Baron would find, that a duty of 20*s*. a quarter had been levied on Corn about to be exported to this country; and therefore, it was not wise that we should place ourselves so much in the power of foreigners. Buonaparte had levied a duty on Corn, the growth of France, as well as of Austria and of Prussia, when he was in possession of the capitals of those countries, which was intended for exportation to England. If Buonaparte did so, what was to prevent the monarchs of Austria, Prussia, or Russia from taking the same step? In fact, as the noble Earl near him reminded him, the king of Prussia did lay on such a duty in 1801. And it ought not to be overlooked that a great portion of the Corn intended for this market must come through the territory of Prussia. Were they then to rely on the forbearance of these foreign sovereigns to obtain the necessary supply of Corn to England? He said, certainly not; and therefore he would contend that this country could not wisely do otherwise than secure the interest of the agriculturist, who ought to be encouraged to raise a sufficient supply of Corn to meet the wants of the country either in time of war or at any other period of distress. The noble Baron had taken up much of their Lordships' time in discussing the amount of profit which the manufacturer derived from exporting his goods to foreign countries; and he argued, that if we allowed foreign Corn to be imported at a small nominal duty, that profit would be vastly increased. But the noble Baron had forgotten one great cause of the small profits that were realized on our goods when sent to foreign parts—namely, the great increase of manufactures abroad. The greatest difficulty was experienced in exporting our manufactures. In some countries there was a total prohibition of them, in others there was an extremely high duty, and in all there was much competition and jealousy. The government in every one of those foreign countries did every thing in its power to prevent the sale of British manufactures. He was convinced that if the people of this country went to the continent, and purchased all the Corn in Poland, not an additional article would they be enabled to force into France, Germany, Prussia, or Russia. If the merchants of this country were allowed freely to purchase grain, foreigners would get as much for their Corn as they possibly could; but their rulers would not allow a single article of our manufactures to be imported in consequence of our being obliged to buy the grain of those countries. There was undoubtedly a certain quantity of manufactures in this country more than the population itself could consume, which it would be very desirable to get rid of. But was it exactly true that taking foreign Corn would have the effect of enabling other countries to purchase our manufactures? And even if such were the case, what were we to do with our own Corn? If those countries wished for our manufactures, why, when Russia and Prussia disposed of their Corn to other states, did they not come and purchase goods from us? For his own part he believed, after all, that the home market was our best resource, and that there we disposed of the greatest number of our manufactured articles. It had, and he thought with truth, been stated that two-thirds of the whole quantity of our manufactures were disposed of in this country. The greater part of the woollen and the whole of the silk manufactures were consumed here; and, he asked, would they take the Corn trade from the hands of those who afforded them the best market? He thought that such a proposition was quite preposterous. He was sure that the interests of all classes in this country were nearly allied. They were not to look to the interest of the cotton-manufacturer, or of the iron-manufacturer. That which they were bound to consider was, the benefit of all; and, in his opinion, the common good would be most effectually secured, by getting the greatest quantity of provisions for the whole community,—by giving a proper remuneration to those who produced those provisions,—and thus encouraging them to do what was most beneficial to the community at large.

Lord *King*, in reply, admitted the importance of the home market, but his argument was, that if the foreigner were admitted to send his Corn to this country, the manufacturer would, in consequence, have two customers instead of one. With respect to what had been said relative to a duty being imposed by foreign powers on Corn about to be exported here, such a practice never could, in his opinion, be carried into effect. It was very true that Buonaparte had levied such a duty; but it should be observed, that he was at that time master of all the potentates of Europe, and they were obliged to obey his mandate; but he was sure that now no country would be so foolish as to levy an impost which would put an end to its own trade. The noble lord concluded by defending his motives for bringing forward the Motion at the present time. He was sure it was much better to do so now than to introduce it when a great rise in the price of Corn, which he was sure would take place, had created irritation and ill-will in the public mind.

The Earl of *Rosslyn* said, it was very clear that the foreign powers would impose such a duty as had been alluded to. The king of Prussia had imposed such a tax in 1801, and on its inconvenience being represented by his subjects, the answer was, that it should remain for a time, but that if the price of wheat in England fell to between 50*s.* and 60*s.*, it should then be taken off. This was a fact which showed that foreign powers would take that course.

The resolutions were negatived without a division.

HOUSE OF COMMONS.

Monday, March 29.

Minutes.] Mr. Astell brought up the Report on the Tanjore Commissioners Bill.

[The hon. Member stated, in answer to a question from Mr. Trant, that the Carnatic Commission had closed its labours—had made its last report—and that the salary of 300*l.* a year, which the Tanjore Commissioners enjoyed as co-Carnatic Commissioners, had, as a consequence, terminated, reducing their salary to 1,500*l.* from 1,800*l.* a year.]

Sir A. Grant brought up the Report of the Committee on the Four per Cent Annuities Act. The Resolutions were read and agreed to, and Bills were ordered to be brought in in pursuance thereof.—The Sheriffs of Ireland Bill was read a second time, on the Motion of Lord Francis Leveson Gower.—Bills were ordered to be brought in to Amend and Consolidate the Acts relative to the pay of the Navy, and to amend and continue the Insolvent Debtors' Acts.

Returns presented;—Annual account of increase and diminution of Salaries. Accounts of Superannuation Allowances granted since July 5, 1822;—Of Spirits that paid Duty in each Kingdom, from January 5, 1825, to January 5, 1830:—Of the Receipts of each Receiver-general or Collector in the year ending 5th January, with the Sums paid by them into the Exchequer:—Of the Duty received during the last ten years on Coals in Ireland. The correspondence relative to building a Naval Hospital at Malta, and a Chapel at Pembroke. Probates of Wills and Letters of Administration, issued in the Dioceses of St. David's, St. Asaph, Llandaff and Bangor. Persons committed, tried, and convicted of Criminal offences during the last year. Contracts now existing for the supply of the Ordnance. Account of the progress made in achieving the Water communication between Montreal and Kingston.

Returns Ordered. On the Motion of Mr. Robinson, copies of the Instructions sent out to the Governor or legal authorities of Newfoundland, relative to the operation of the Act of the 5th of George IV. c. 51, and 5th George IV. c. 67, and the answers (if any) thereupon:—On the Motion of Mr. Maberly, a series, showing the amount and official value of the importations of Hemp and Flax, dressed and undressed; and of the Linen imported and exported during the last year:—On the Motion of Lord W. Powlett, of the number of Vessels engaged in the Coal Trade of Stockton-upon-Tees.

Petitions presented;—Against a renewal of the East-India Company's Charter, and for opening the Trade with China, from Hastingden by Lord Stanley:—From Yeadon, in Yorkshire, by Mr. Rice:—from Ossett in the same County by Mr. Buxton:—From Farnley by Mr. Stuart:—From the Corporation of Gloucester by Mr. Webb:—From Dewsbury by Mr. Baring:—From the Chamber of Commerce in Dundee by Mr. Maberly:—From Harrington by Sir James Graham. Against the practice of Hindoo widows burning themselves, and of human sacrifices at Juggernaut, from nine Protestant Dissenting congregations in Lancashire, by Lord Stanley:—From the congregation of the Independent Chapel, Southport, by Mr. Buxton:—From Kettering in Northamptonshire, by Lord Althorp:—From seven Dissenting congregations in Blackburne and its vicinity, by Mr. Stanley:—and from several Dissenting congregations of Chapels in Liverpool, by Mr. Huskisson: all referred to the Committee on East India Affairs. Against the Bill for opening the Beer Trade, from the Licensed Victuallers in Great and Little Bolton, by Lord Stanley:—By Mr. Dickinson, from the licensed Victuallers of Frome Selwood, Somersetshire, and for protection against the consequences to stock on hand of the intended measures respecting the tax and trade of Beer. By Mr. Kekewich, from Exeter, for an improvement in the Criminal Law:—From Madely, Shropshire, by Mr. G. Thompson:—By Mr. Jephson, from Whitechurch, in the county of Cork, against the Sub-letting Act. Praying for Relief, and complaining of Distress, by Mr. Benett, from the High Sheriff and principal Màgistrates of the county of Wilts, and from Marlborough:—By Lord W. Powlett, from the Shipowners of Sunderland.

Lord Eldon.] Sir *F. Burdett* begged leave to inform the House, that he had received a letter from the late Lord Chancellor, to whom he had referred a few evenings since, as an authority in favour of his own views of the justice of paying off the debt in a currency of the value of that in which it had been contracted, in which that noble Lord stated that his opinions were diametrically opposite to those imputed to him. He therefore thought it right to inform the House of the circumstance, regretting that he had not the support of the noble Lord's opinion for his view of the Question.

KENT PETITION—CORN LAWS.] Sir *E. Knatchbull* had a Petition to present from the Gentry and Freeholders of the county of Kent, the result of the late important meeting which had been held at Penenden-heath. He could not present it without observing, that it afforded one more proof of the continued existence of the distress which unfortunately afflicted the country. One of his strongest apprehensions was that which a right hon. Gentleman opposite had so lately expressed —namely, that the effect of the present depressed state of the landed interest would be to diminish the number of that class of most useful and influential country gentlemen who had from 1,200*l.* to 1,500*l.* a-year. The hon. Baronet then read passages from the Petition, declaratory of the prevailing distress in the county of Kent, which he could verify from his observation: for instance, he knew that the tillage of a great quantity of land in that county was at present in a very deteriorated state. The petitioners complained of the continued increase of Poor-rates; they also complained of the system of what was called Free Trade, which they thought, in the condition of the people of this country, was very injurious at this moment, when wool was at so low a price, as well as hides, tallow, &c. Such, too, was the pressure of taxation upon the productive sources of public industry, that the people universally complained of it. This amount of taxation he knew could not be helped if it were actually necessary to maintain the essential establishments of the State. He was ready, as he had told his constituents, to press for the utmost remission of taxes; but that alone would not do—the country wanted other measures as well. The Currency was also mentioned as an ingredient in the distresses of the people; and the petitioners further called for Parliamentary Reform. He had told them at the meeting that he would be ready to assist in the exposure and redress of any specific abuse which was proved to have occurred in the representation, but he would not assent to speculative and indefinite propositions of reform. His constituents likewise called for inquiry into the distresses of the country,—a call, he feared, not likely to be obeyed, after the experience which the House had of the late four nights' debate. He highly approved of the recent abolition of the Leather and Cider duties; but he did not think that the abolition of the duty on Beer was likely to be as useful as some hon. Members anticipated. Indeed, his firm opinion was, that if the Chancellor of the Exchequer had gone further in the remission of those taxes which pressed peculiarly upon the middling classes, he would have done more to grant immediate relief to the working classes generally, than could be expected from his late arrangements. He moved that the Petition be brought up.

Mr. *Wells* said, that he was present at the meeting in Kent, and it gave him great pain to see how great and how universal was the distress of the people. When they found themselves in this condition, it was not to be wondered at, that they should call for a reform in Parliament, and declare that had they obtained reform in time, many of their present evils would have been averted. Indeed, before this petition had been agreed to by the meeting, an address to the King, for Parliamentary Reform, was adopted, on the ground that the people were tired of seeking it from the House of Commons. His hon. friend's efforts to impede this vigour beyond the law, for so he must call the fact of the people addressing the King because they were tired of addressing the House of Commons, were as unavailing on Penenden-heath as similar efforts made by him in the previous year, in that House, were in averting the great inroad upon the Constitution which was then perpetrated. He believed that many measures had at various times passed through the House of Commons which would not have been so successful had the people had a little more influence over their representatives. This was the complaint made by Mr. Pitt in 1782, who said, that without reform it was impossible to save this nation from being plunged into new wars; that without it the people could not be protected from a bad Minister, nor have the benefit of the measures of a good one. The hon. Member again adverted to the great pressure of distress in Kent, and conjured the House to give the prayer of the petition its serious attention.

Mr. *Honywood* said, that the object of his constituents was—first, to obtain relief from the present weight of taxation, under which they were fast sinking; and next, to obtain Parliamentary Reform, with the view of preventing similar evils in future. The distress of the country was great, and he believed in too many cases rents were paid out of capital, and not from profits of cultivation. That was not the first nor the fourth petition which had been sent from the county of Kent, in favour of a reform of Parliament; but the present great distress of the petitioners now made them more solicitous than ever to obtain reform. For himself he would say, that he had for twenty years been an advocate for reform, and the experience of each successive year had only given greater strength to his first impressions upon that question.

Sir *Francis Burdett* said, that the question of reform having been agitated and agreed to at that meeting of the county of Kent, showed that the principles of reform were making way all over the country. He therefore was quite satisfied that hon. Members would at length become convinced of the absolute necessity of giving the people a greater weight in their representative system; and that the old apprehensions by which well-intentioned persons were deluded and prevented from supporting this principle could no longer be attempted with any chance of success. He was sorry, however, to see in this petition, in the greater part of which he cordially concurred, certain observations respecting the principles of what was called Free Trade, for it was not those principles, which had never been fully acted on, which caused their distress. They had, indeed, been called into practice so far as to derange the old system, without giving the country all the advantages of that new system of which they were nominally the basis. He was satisfied that when the principles of Free Trade were fully understood, and fairly applied, the people would see that they could not be injured by them, or that they had any reason for opposing them. The sooner misapprehensions upon this point were removed, the better for the country, for as matters stood, no Government, especially while that House was constituted as at present, could safely embark in any large application of the principles. Free Trade, indeed, could never be said to be fairly dealt by, or all its advantages given to the public, until the Corn-laws, which were the great obstacle to Free Trade, were removed. They stood broad in the way of the Government in adopting this enlightened principle of action. Indeed, he was so satisfied that the country gentlemen were themselves exceedingly in error on the subject of these Corn-laws, that he meant, soon after Easter, to bring forward a motion, the object of which would be, to have them repealed. When he did so, he hoped it would be unnecessary for him to press upon them that the proposition did not come from one who was hostile to their interests, but from one who was identified with them, and who thought that not only for the general prosperity of the country, but for the particular advantage of its landowners, these laws ought to cease. It was a fallacy to suppose that the country gentlemen had any separately beneficial interest in this respect from the other classes of the community; on the contrary, their interest must always go on *pari passu* with that of the people at large. So impressed was he that these laws were most injurious, and to the landed interests as well as other interests, that he had very little doubt if the gentlemen of the country would only keep their minds open, that he need not despair of convincing them that they ought to be the first to get rid of this stumbling-block to the fair trial of the principle of Free Trade in all their commodities. Of this he was quite satisfied, that the Corn-laws were a real bar to the prosperity of the country. It had been said, with reference to the question of Parliamentary Reform, that the time was when no loyal person would advocate it. For himself he could fairly say, that he had never thought it disloyal to urge this topic, because he had always contended that to give the people their fair weight in the representation was not more essential to their happiness than to the stability of the throne itself.

The Petition ordered to be printed.

SUPPLY.] The Chancellor of the Exchequer, having moved the Order of the

Day for bringing up the Report of the Committee of Supply,

Mr. *Bernal* begged to know if there was any truth in the report that it was intended to deprive the captains of his Majesty's ships of the power they had hitherto possessed to appoint midshipmen? He understood that something of that kind was to be introduced in the new regulations, which, besides being prejudicial to the service, he was sure would create great discontent.

Sir *G. Cockburn* said, that all the patronage the captains had enjoyed was to be continued with respect to the appointment of midshipmen; but they were to be deprived of the nomination of the first class of volunteers. One captain received a number of volunteers on board, and then perhaps in six months another was appointed, who received an additional number, and so they continued until the ship returned, when they were set on shore without any provision. To remedy this evil the Admiralty had taken the appointments into their own hands, resolving to receive none who were not afterwards to be provided for.

Mr. *Hume* said, that before the Report was brought up, he wished to know whether or not it was the intention of his Majesty's Ministers to ask for a grant of money for works in Canada. He put this question because an hon. friend of his, who had a motion standing relative to that colony, desired to know, and could not attend in his place to ask, and he thought, as well as his hon. friend, that no vote should pass till the general questions connected with that colony had been discussed. He thought that the right hon. and gallant General at the head of the Colonial Government should bring forward his propositions on the subject before any money was asked for. The complaints of the people of that colony were so numerous, and in his opinion so well grounded, that to vote money for the colony till the causes of them were removed appeared to him highly improper. In fact, unless some conciliatory measure were first introduced, he should resist the grant of any money whatever for Canada.

The *Chancellor of the Exchequer* would do every thing in his power to further the views of the hon. Gentleman, but he could fix no day for the discussion of the general questions connected with Canada. He would postpone it as long as possible.

The Report was then brought up. On the question that it be read,

Mr. *Maberly* wished, he said, to call the attention of the right honorable the Secretary of War to the Marine corps, which appeared to him expensive and unnecessary. It consisted of 4,000 men, though the gallant Admiral opposite had stated that 1,000 would be sufficient to perform the requisite duties. If it were said that they were wanted for garrison duty, that he would contend could be performed by the regular troops. If 4,000 marines were kept up for that purpose, they were unnecessary, or 4,000 of the regular troops ought to be reduced. The reduction of these 4,000 men would be a saving of 200,000*l.* a year—a sufficient sum to make him think the subject well deserving the attention of the House of Commons. He was aware that the reduction could not be made this year, but he did hope if the Secretary-at-war and the gallant Admiral took counsel together, that they would be able to save this sum next year.

In reply to a question of Mr. Hume,

Sir *G. Clerk* stated, that there was no separate charge for victualling the marines.

The Report of the Committee was read.

Mr. *Hume* objected to the sum of 5,000*l.* voted for the payment of fees, and declared that he would move as an amendment to leave out that sum; but forbore to press the matter, on the Chancellor of the Exchequer undertaking to look into the subject, and make such an alteration as would next year be satisfactory to the hon. Member. He further inquired if the expense of the ships lying in ordinary had not been greatly increased. He had received information, that it had been increased to the amount of 5,000*l.* a year, and he should be glad to learn whether or not that were correct.

Sir *Byam Martin* said, the system followed at present was different from the system formerly in use: captains had been substituted for masters; but as there were fewer of them, the expense was not increased, while the ships were much better taken care of.

Mr. *Monck* objected to the vote for what is called "the widow's charity," which, he said, was a misnomer. In the ordinary acceptation of the word 'charity' meant a gift from the rich to the poor; in this case, however, the poor contributed to raise a fund for the benefit of the rich, and were at the same time excluded from any share in its advantages. Having previously, however, made several remarks on the subject, he would then only ask whether the regulation bestowed pensions on widows in proportion to the rank of their husbands; whether every case was considered on its own merits, and whether there was any intention on the part of the Government to adopt some means of curtailing this expense.

Sir *G. Clerk* stated, that the amount of the pension was always determined by the rank of the officer when he died, and that measures would be adopted to prevent the increase of this branch of expenditure.

Mr. *Hume* stated, that the object of his hon. friend was, to see one principle adopted throughout the public service, according to which the widow of an officer should no more be pensioned than the widow of a private soldier. It seemed to him extremely hard that the widow of a soldier, who had served in all countries and climates for the greater part of his life, should receive nothing, while the widow of an officer, who had perhaps served only a few years, and never been abroad, should be provided for. At present the Army, the Navy, the Ordnance, in short, every branch of the public service, had its own peculiar system of granting pensions, which to him appeared very improper, and he should recommend that pensions be altogether abolished. They encouraged marriage, which, in his opinion, ought rather to be discouraged in the officers as well as in the men. The present system encouraged officers to marry, and unless it were checked the charge for pensions must augment every year. It was the duty of the Government to make some alteration, and at least to have one general uniform system for granting pensions in every branch of the public service. The hon. Member also protested against the grant of 300*l.* a year to the widow of commissioner Sir George Grey. He saw no reason why the widow of a poor shipbuilder, who had served twenty years, should get no allowance; while the widow of a commissioner, receiving a large salary, and serving perhaps not half the time, should have 300*l.* a year for her life.

Sir *G. Cockburn* said, that pensions of that kind were no longer granted, nor had there been any granted to the widows of commissioners appointed since the year 1825. Before that time, however, they were entitled to a pension by an Order in Council, and it was not thought right to depart from the old practice with regard to those appointed before that time.

Mr. *Maberly* was of opinion that a report of the number of Pensions granted by Government should be annually laid on the Table of the House.

The *Chancellor of the Exchequer* said such a Report was to be laid on the Table.

Mr. *Monck* did not object to the particular vote of 300*l.*, but he repeated his complaints of a want of uniformity in granting pensions. Here was the widow of a commissioner who had 300*l.* a year, while the widow of a common sailor or soldier had no allowance whatever. The hon. Baronet had informed the House that such pensions were to be discontinued in the civil service, and perhaps the hon. Baronet would recommend that the same principle should be adopted in the military and naval service.

Mr. *Hume* asked, what necessity there was to have flag officers at Portsmouth, Plymouth, Chatham, and Cork, particularly at Chatham, where there were never more than two or three ships. The salaries of these officers amounted to 12,000. or 14,000*l.* a year, which, in his opinion, was money wasted. He would like also to know why houses were hired for these Admirals when between 30,000*l.* and 40,000*l.* had been expended on building them suitable habitations.

Sir *G. Cockburn* replied, that these Admirals were necessary to carry on the public service, and as none but old and distinguished officers were appointed to these situations, they might also be considered as the reward of merit. He did not think that it would be possible to dispense with the services of such officers, or reduce the Estimate any lower.

All the Resolutions of the Committee were agreed to.

COMMITTEE OF SUPPLY.] The Order of the Day having been read for the House to resolve itself into the Committee of Supply—

The *Chancellor of the Exchequer* moved, that the Estimates of the Civil Contingencies be referred to the said Committee.

Mr. *Hume* declared that he would oppose that and every other motion of a similar nature, until it should be explained why a passage had not been opened for the public from the bottom of Waterloo-place into St. James's Park. He wished to know why the promise that had been made by the right hon. Gentleman opposite, when he was at the head of the Woods and Forests, had not been fulfilled?

Mr. *Arbuthnot* said, that the hon. Gentleman was in error in supposing that he had made any such promise as that alluded to. When he had been asked if any such opening would be made, his answer was, that he could not state until he saw the plans. When the plans were presented at his office they contained no such opening.

Mr. *Hume* maintained, that an opening was promised by his Majesty's Government; but whether by the right hon. Gentleman or some other member of it, he did not recollect.

The *Chancellor of the Exchequer* put it to the hon. member for Montrose, whether the present was the fittest occasion for the discussion of this question?

Mr. *Lennard* observed, that the opening for which his hon. friend wished, would add greatly to the beauty of the street, than which nothing could be more unsightly than its present appearance. The wall which had been erected completely obstructed the view of the park. While he was upon his legs, he wished to say a few words on another subject. A few years ago the right hon. Gentleman promised that at the expiration of a certain period the interior of the Regent's Park should be opened to the public. The time he conceived had now fully expired, and the public had a right to demand that the expectation should be realized. It was well known that there was a very dense population in the neighbourhood of the Regent's Park, to whom the liberty of walking over the whole of it, instead of being confined to the narrow roads by which it was bounded, would be a great convenience and advantage. The plantations had now grown up. If, however, any mischief to them were still apprehended, it would surely be very easy to give directions that some of the policemen should be on the spot, for the purpose of preventing it.

Mr. *Maberly* referred to the leases granted to those who had built villas in the Regent's Park, in order to show that Government had no power to open the interior of the park to the public, unless the rights of those who held the leases in question were first purchased by the public, a proceeding to which he presumed Parliament would not be inclined.

Mr. *Arbuthnot* agreed with the hon. member for Abingdon, that it would not be in the power of the Government to throw open the whole area of the park to the public, but there was a portion of it—the hon. Member knew the part to which he alluded—which he (Mr. Arbuthnot) had intended to open to the public had he remained at the head of the department over which he formerly presided. What would be done now with reference to that part of the park he could not say; but he would say, if he had remained at the head of that department, he intended to open it to the public. [*hear*]

Mr. *Protheroe* said, that every hon. Member who passed down to the House by Charing-cross must have had his feelings and nerves annoyed in coming along that exceedingly dirty passage. There could, therefore, be no greater convenience, not only to members of Parliament, but to the public, than the making of an opening from Waterloo-place into St. James's park. He did not believe that a pledge had been given to that effect by Government, but he thought, upon the high ground of public convenience, that opening should be called for. He trusted that this passage would be made, and that also the area of the Regent's-park would be opened to the public. He trusted too that the noble lord now at the head of the Woods and Forests, and who, he was sure, was desirous to do every thing for the public convenience, would finally have the Regent's park thrown open to the public like Hyde park, and that also a passage would be opened, and a flight of steps made, from Waterloo-place into St. James's park.

Mr. *Hume* said, whether or not a pledge had been given that this opening should be made, he trusted it would be for the public convenience. He concurred with the right hon. gentleman opposite that this subject could be mooted on a fitter occasion. Several votes connected with the parks must come under their notice, and the House would then have an opportunity for discussing this subject.

The estimates were then ordered to be referred to the Committee.

On the motion that the Speaker do leave the Chair, Mr. *Lennard* said, he differed from the hon. member for Abingdon as to the construction of acts of Parliament regarding the Regent's-park, and as to the terms of the leases upon which the villas in that park had been let. It was quite true that there were provisions in the leases to prevent the building of any more villas there: but he could see nothing in the terms of those leases to prevent the Government from opening the area of the park to the public. He himself possessed a villa in the park; but he did not think that the convenience of the public at large should be postponed to that of the few individuals who had villas there.

Mr. *Maberly* said, when a part of the park was opened to the Zoological Society, he took counsel's opinion on the subject; and that opinion was, that the Government had no right to make that grant; and he could assure his hon. friend that if he would consult counsel on the point, he would find that, according to the terms of the leases of the buildings in the Park, the Government had no right or power to throw it open to the public.

Mr. *Warburton* condemned the mode in which some of the new buildings erected on the site of Carlton-palace had been leased to Mr. Nash. His interest was of course opposed to the public in favor of his own, and in that way the public convenience was neglected.

Mr. *Arbuthnot* said, in reference to Mr. Nash becoming the lessee of some of these premises, the facts were simply these:—Mr. Nash made an offer for a lot of ground for the erection of five houses, at the end of the area in Waterloo-place, which could not be let. He took it on the condition of building those houses upon it, afterwards to be let to such tenants as the heads of the Woods and Forests might approve of, and Mr. Nash undertook to give them at the prime cost. He (Mr. Arbuthnot) knew that Mr. Nash had subsequently let them at the prime cost.

Mr. *Beaumont* wished to know whether there had been any public competition allowed for this ground—whether it had been set up to public auction, or whether, on the contrary, Mr. Nash had not been suffered to take it by a private bargain, and very likely at his own price?

Mr. *Arbuthnot* said, the public was fully aware at the time that this lot of ground was to be let. It had not been put up to public auction, because in the opinion of the greatest landed proprietors in London that was not the best way of letting it. It might, if let by auction, go off at a price below its value, and the buildings erected there might thus be let to unfit and irresponsible persons.

Mr. *Beaumont* saw no reason why St. James's-park should be looked upon in the light of private grounds. He was sure it would be a source of satisfaction and pleasure to the Sovereign to see his subjects enjoying the comfort and recreation which that park would afford them. He sincerely believed, if the noble Lord opposite would make a representation on the subject in a proper quarter, that the convenience of the public would be fully attended to in that respect. He was sure the royal heart would be gladdened to see the inhabitants of this metropolis enjoying the recreations afforded by that park, and its rural scenery.

The *Chancellor of the Exchequer* said, that St. James's-park was an unfortunate instance to select for complaint, for within a very short period means had been taken to afford the greatest advantages to all classes of the public, by the improvements in that park. There was at this moment a road in progress on the south side of the park, which, when completed, would be of great advantage to the higher orders, and the opening of the interior of the park had been productive of the greatest advantages to all classes of society.

Mr. *Beaumont* wished for nothing more than that every thing possible should be done for the accommodation of the public. —Agreed to, and the House went into a Committee of Supply.

Mr. *G. Dawson* said, he proposed to take the vote for the Civil Contingencies upon account, as the amount was required for the carrying on the public service, and the House would hereafter have an opportunity of discussing the votes separately. He accordingly moved—"That a sum not exceeding 100,000*l.* be granted to his Majesty for defraying the charges of the civil contingencies for 1830."

Mr. *Hume* would not object to taking this vote upon account now; but when the separate votes should come to be discussed, he would move a resolution, that it is expedient to effect a reduction in the diplomatic expenses of the country. He should object to voting 60,000*l.* or 70,000*l.* for extraordinary diplomatic expenses. A pledge had been given by Mr.

Canning, that every reduction would be made in the diplomatic expenditure of the country; but instead of that, it had gone on increasing ever since. He thought 400,000*l.* too large a sum for that single department of the Government.

The *Chancellor of the Exchequer* said, it would be found that considerable reductions had been effected in this part of the public expenditure this year.

The Resolution was then put and agreed to.

NAVY ESTIMATES.] Sir *G. Clerk* proceeded to move the remainder of the Navy Estimates, and commenced by moving a sum of 99,000*l.* for defraying the charges for repairs and improvements in his Majesty's Dock-yards. This vote had been objected to on account of the sum called for for the erection of a new naval hospital in Malta. The building of that hospital had been determined upon in consequence of the increase of our naval force in that quarter, and of the want of adequate accommodation for the sick. The naval hospital was situated in a narrow and crowded part of the town of Valetta, but had been found so inconvenient that the Government had given it up. Since our force had been increased in that quarter all the accommodation which could be procured for the sick, was found inadequate. The Admirals in command on that station had frequently represented this, and the Admiralty therefore found it necessary to submit an estimate to the Treasury of 17,000*l.* for building a new hospital. He did not think that too much, but the hon. member for Abingdon had objected to the vote on the ground of irregularity in commencing the work before the sanction of Parliament had been obtained for the necessary expenditure. As a general rule his objection was quite correct, but the exigencies of the public service did not always allow the executive Government to follow that rule; the Finance Committee of 1817 had indeed recognized the necessity of the Government sometimes departing from this plan. That committee recommended, that works should not be undertaken by the subordinate departments till the consent of the Treasury had been obtained, and this recommendation had been complied with. The Estimate had been submitted to the Treasury, and it had in August last issued orders, when a large force was sent to the Mediterranean to complete the proposed work. It certainly was commenced without the sanction of Parliament, but he was sure that the inconvenience to which the sick seamen would have been exposed wanting it, would induce the Parliament cheerfully to confirm the proceedings of the Admiralty.

Mr. *Maberly* objected to voting 17,000*l.* for the erection of this hospital. In his opinion Government had failed to make out a case of emergency, and their conduct had evinced a total disregard of the opinion of Parliament. He thought it very strange that a sum of 17,000*l.* should be expended in building an hospital on a foreign station at a time of peace; and he thought it still more strange that such an expenditure should have been incurred in a most unconstitutional manner. On various occasions, in 1711, in 1764, in 1784, in 1791, and in 1817, resolutions had been passed maintaining the principle that no money should be expended by Government without first obtaining the sanction of the House. In 1818 a Treasury Minute was passed to this effect, founded on that recommendation of the Finance Committee of 1817, to which the hon. Baronet had alluded. The question with him, therefore, was, whether the conduct of the Admiralty ought not to be considered as a breach of the defined law of Parliament. The facts stated proved that there was no such emergency as the hon. Baronet spoke of. It appeared that the work had been contemplated for three or four years, and the emergency was only thought of when the sanction of Parliament was to be obtained to the proceeding. He called on the committee, therefore, to refuse the grant, because the case involved that important principle by which that House was to exercise a control over the public expenditure. If the Government were to decide on the expediency of public works, that would reduce the power of control exercised by Parliament to a mere nullity. If ever there was a violation of constitutional principles this case was such a violation. The only circumstance which would justify the proceeding was, that without the hospital the public service could not have gone on. No such case had however been made out, no immediate and urgent necessity had been shewn for the work, and he therefore should feel himself bound to resist the vote.

Sir *G. Cockburn* said, that Government

had endeavoured as long as possible to avoid the expense of erecting a new hospital at Malta. After the battle of Navarino, however, Government received the most distressing reports of the misery which our wounded sailors experienced from the situation and the inadequate accommodation of the old hospital. In one representation their sufferings were described as dreadful, and even horrible. It was at that period far from improbable that another engagement might have occurred. A large additional force was sent to the Mediterranean, to provide for the wants of which the old hospital was wholly inadequate. Government, therefore, considered it a duty to provide against such a contingency, and he did not believe that a British House of Commons would blame the Government for what it had done.

Mr. *Hume* said, he objected to the conduct of Government, because it was opposed to the principle that no foreign works should be executed without the consent of Parliament, unless upon cases of emergency. In confirmation of that opinion the hon. Member quoted the following Order of the Treasury on this subject, dated in 1791, and signed H. Dundas. "My Lords are of opinion that no Commander-in-chief or governor is authorised to incur any expenses for which money has not been already granted by Parliament, or which has not been previously approved of by his late Majesty, and his Majesty's order signified by this Board for that purpose. That, secondly, if any governor or Commander-in-chief shall be of opinion that any expense ought to be incurred for the good of his Majesty's service, he is previously to make a representation thereof to the proper office at home, which is to communicate the same to this Board that his Majesty's pleasure may be taken thereupon, and that a proper estimate may be laid before Parliament, to the end that such sums may be granted as Parliament should think necessary for that purpose."

The order went on to state that in case of any unforeseen emergency rendering it impossible to apply to Parliament, the governor or Commander-in-chief was to transmit information to the Treasury, with the reasons for incurring the expense, but not to incur it if it could possibly be avoided. He contended, therefore, that this regulation had not been complied with, that no case of emergency had been made out, and that there had been a direct violation of the principle on which money was granted to the Crown. What made the case stronger was, that no estimate had been submitted to the Admiralty subsequent to that submitted by Lord Collingwood in 1809, so that from that time till 1830 the same state of things had existed, had been known, and yet to remedy it was called an emergency. Supposing, however, that it might be necessary to expend 16,000*l.* in 1809, the amount of the estimate sent by Lord Collingwood, it did not at all follow, when prices had everywhere fallen, that the same sum would be required in 1830. He admitted that the old hospital was inconvenient but he contended that the new one was not wanted. Sir Pulteney Malcolm stated the number of sick, in a despatch dated May 1829 to be 100, in a force of 6,000 persons. The increased force subsequently sent out had been again withdrawn in ordinary times, there never was a larger force than 6,000 men in the Mediterranean and he could not possibly conceive that 17,000*l.* ought to be expended to supply accommodation for 100 men. He had a right also to complain that this vote was not included in the Estimates of last year, it having been before that time under the consideration of the Admiralty. He hoped at least that the vote would be passed over till all the information connected with the subject was laid before it.

The *Chancellor of the Exchequer* admitted the general principle contended for by the hon. Member opposite; but he maintained that Government had acted upon a case of emergency. After the explanation given by his hon. friend who had moved the vote, he did not in fact expect to hear it opposed. The hospital at Malta was found inadequate to provide for our sick when we had only 6,000 men on that station: when our force was raised to 8,000, Government felt it imperative, for the benefit of the service, to build a new hospital. The hon. member for Montrose was mistaken in saying that there was no estimate; there was an estimate transmitted in the regular course of business from the Admiralty to the Treasury. If it had been found that the hospital was too small for 6000 men, it was surely too small for 8,000, and the emergency which compelled the Government to make that addition to our force also compelled it to provide an hospital.

Lord *Althorp* said, that he believed a new hospital was wanted at Malta, and therefore he did not blame Government for having built one. But it did not appear to him that there had been that sort of sudden emergency which justified Ministers in going to such an expense without the previous sanction of Parliament. At the same time, when the question was whether our wounded seamen should be provided with a comfortable hospital, instead of being carried to a bad one, up a steep hill, which must add to their sufferings, he could not object to the vote.

Mr. *Croker* said, it was impossible for Government to delay any longer the building of a new hospital, after our force off that station had been increased. The estimates for it had been regularly submitted to the Treasury, which Board had not consented to the measure till the emergency arose which required a large additional force in the Mediterranean.

Mr. *Warburton* said, that it appeared to him that the House was called upon to make this grant without any satisfactory estimate having been placed before it.

Mr. *Croker* repeated his former statement, that all the necessary estimates had been laid before the Treasury in July last—that at that time they had been rejected,—but that, in consequence of the emergency which had rendered it necessary for us to send an increased force into the Mediterranean, it had been deemed necessary to proceed with the building of the hospital.

Mr. *Maberley* proposed that this part of the vote should be postponed till the papers were printed.

Mr. *Hume* wished to know what amount of money had been already drawn on account of this work.

Sir *G. Cockburn*.— None has been drawn yet.

Mr. *Hume* was glad to hear it—but still thought that Government had made but a very lame case of it.

The Question was then put; but before it was carried,

Mr. *Hume* said, that there was another item in this vote to which he felt considerable objection. After voting a million and a half for new churches, he could not see any reason why the Committee should be called upon to vote 4,000*l.* for the erection of a new chapel at the Dockyard at Pembroke.

Sir *B. Martin* explained the circumstances which had induced the Government to consent to the erection of this chapel at the public expense. Last year, when he went down to the dock-yard at Pembroke, the officers met him with a representation that the shipwrights were anxious to attend divine service at the established church, but were not able to do so from want of room. As there were upwards of 500 shipwrights there, and as their families amounted to upwards of 2,000 souls, the Government had deemed it only right to afford them a place for the celebration of divine worship. Only 2,000*l.* would be wanted for the erection of the chapel this year; 4,000*l.* would be the total expense of its erection, as Mr. Macintosh had contracted to erect it for that sum. If it were not built now, it would never be built at so cheap a rate at any other period, as Mr. Macintosh, who was now building some works for the Ordnance, could build at a cheaper rate now than he could at any other time.

Colonel *Davies* said, that the parish church was not more than two miles distant, and he therefore should support the hon. Member's objection to the grant.

Mr. *Maberly* said, that there had been an intention at one time to get rid of this dock-yard altogether; if so, what occasion was there to build this chapel?

Sir *G. Clerk* said, that there were so many local advantages about this yard, that he could assure the Committee that there was no intention to abandon it.

Mr. *Hume* called upon the Committee to consider well what they were going to do. If they determined to make a dock-yard at Pembroke, they would soon be called upon to vote money for the purpose of building fortifications to protect it, for the dock-yard could not protect itself. He should therefore propose to postpone the voting of this item of 2,000*l.* till next year, when they would be able to discover whether this dock-yard would be continued or not. At present the House was asked for 99,000*l.* for a department which before the French war cost 25,000*l.* Was that to be borne? Part of the expense, he observed, was for the superannuation of chaplains, which he did not understand, as he never heard of superannuated bishops.

Sir *B. Martin* said, the superannuations were allowed to chaplains on the same principle precisely, that they were allowed to other persons.

Mr. *Trant* observed, that having a great regard for the moral instruction and religious welfare of the Army and Navy, he felt himself bound to support this part of the grant.

The Gallery was then cleared for a division, but

Mr. *Hume* consented to withdraw his Amendment. He had another question, however, to put to the gallant officer opposite. How was it that he came to ask the Committee this year to vote 3,000*l.* for works upon the lakes in Canada?

Sir *G. Cockburn* said, that this sum was wanted to keep up the works which were necessary for the repair of the ships we had on the lakes at the close of the American war. By the treaty then made, we had a right to keep them in repair, though we could not increase their number. It was impossible to say what the expense of these establishments might be in time of war; but it would never exceed 2,000*l.* or 3,000*l.* a-year, in time of peace. He could assure the hon. member for Aberdeen, that the American ships at Sacket's Harbour were as well taken care of as our own.

The Vote was then agreed to.

The sum of 210,000*l.* for the purchase of Provisions for troops and garrisons on foreign stations, and for the Convict service, was voted without any remark. 250,000*l.* as the charge for Transports was also voted.

ORDNANCE ESTIMATES.] Mr. *S. Perceval* then rose, to propose the Ordnance Estimates to the Committee, but spoke in so low and indistinct a tone that the greater part of his speech was inaudible in the gallery. We understood him to say, that he should not have occasion to occupy much of the time of the Committee, as the duty which he had to perform was fortunately very simple. The reductions which had been made in the Ordnance Department in the year 1820 had been carried to the utmost point to which they could be well carried, with a due regard to the proper equipment and permanent efficacy of that branch of the public service; and therefore he should not have to detain them long by enumerating the retrenchments which had taken place in this department. Under the present circumstances of the country, it might seem to some hon. Members that the reduction of the Estimates this year was not such as they had reason to expect; but they were sufficient, he thought, to satisfy the minds of those who were acquainted with our establishments, that though comparatively small, they were no proof whatever of any unwillingness in those who were at the head of the department to make every possible reduction. His right hon. friend, the Chancellor of the Exchequer, when he made his statements of the Estimates, had explained the reason why the reductions of those Estimates were so comparatively small. He had called the attention of the House to the very large reductions which had been previously made in the Ordnance, and the very close scrutiny that department had undergone by his hon. friend, the Secretary of War, and the noble Duke at the head of the Government, and which made further reduction impossible. In 1828 the Finance Committee had examined the whole expenditure of the Ordnance Department in great detail; it had moved for documents and examined witnesses; and after its investigation it had not found any fault with the department. Reduction had then been carried as far nearly as it could go. In considering the present and the former expense of the department, it was proper to consider not only the sum, but the efficient manner in which the whole service was conducted. He had made a few changes in the Estimates from last year, in order to make them more simple, and had placed similar charges together, and had brought similar services under one head. The ordinary of the Ordnance contained all that was included formerly under that head in the Ordnance Estimates for Ireland, and the pay of barrack-masters and serjeants; and the extraordinaries contained all that was formerly included under that head in the Ordnance Estimates for Ireland. They also contained the charge for the repair of Barracks, and for the remainder of the Barrack Estimates. Now the ordinary for this year was 604,347*l.*, last year it was 608,548*l.*, so that it was this year 4,201*l.* less than it was last. The extraordinaries amounted to 804,853*l.* this year; they had amounted to 822,727*l.* last year, so that there was this year a saving on this head of 17,874*l.* There was, however, a charge of 4,034*l.* for unprovided services this year, which had no existence last year; but there was more than a counterpoise for this increase in the diminution which had been made in the Military Store Branch, which was last year 93,612*l.*, and which was this year only 78,455*l.* In this manner the total saving in the charge for the effective this year was 33,198*l.*, and in the charge for the non-effective was 3,556*l.*, making a total saving of 36,754*l.* The first vote which he should have to submit to the Committee would be a sum of 85,625*l.*, for the purpose of defraying the expense of the civil establishments of the Ordnance at the Tower, in Pall-mall, and in Dublin, which was 1,217*l.* less than the vote of last year. The expense of the departments at Woolwich had been increased this year by 300*l.*, owing to the general increase of salaries there, arising from length of service. The hon. Gentleman then went through the different alterations which had been made in the charges for the stations at home and abroad, for the Master-gunners, and for the corps of Engineers, but his statement of them was very imperfectly heard. The charge for the regiment of Artillery was this year 283,626*l.* That regiment had been greatly reduced in the year 1822, and the consequence had been, that it had been obliged to be increased in the year 1825, as it was found to be impossible to carry on the service without that increase. There was, however, he repeated, on the total ordinary of the Ordnance, a diminution of 4,000*l.* odd. The hon. Member then intimated, that, under the direction of the present Master-general, the work of reduction might be considered as always going on; but what the reductions already made or still in contemplation were, it was quite impossible to understand from the hon. Member. He concluded by moving, that a sum not exceeding 85,025*l.* be granted to his Majesty for the purpose of defraying the Salaries to the Master-general, the Lieutenant-general, and the other persons employed in the civil establishments of the Ordnance at the Tower, Pall-mall, and in Dublin.

Sir *J. Graham* congratulated his hon. friend, the Secretary for the Ordnance, upon the very clear and satisfactory manner in which he had stated the estimates of his department to the Committee. It must be gratifying to the House to see his hon. friend dedicating his time industriously and manfully to the public service, instead of eating the bread of idleness and cringing at the doors of that Treasury from which his father, who had achieved the road to eminence, had been accustomed to dispense the patronage of the nation. So much he felt himself called upon to say for the sake of friendship and his hon. friend. Though he was now addressing the committee from that part of the House where the principal friends of Ministers were now generally stationed [*Sir James spoke from what are usually called the Opposition Benches*], he did not altogether partake of the feelings of many of the hon. and noble friends whom he then saw around him. He was not one of those persons who professed predilection for the present Administration; he had, therefore, no coyness in consenting to a resolution condemnatory of their conduct, where he conceived that conduct to be erroneous. He was not one of those persons whose votes were wrung from them when he had to vote against Ministers, and he had, therefore, never refused to give his vote in support of resolutions which were proper in themselves, merely because they censured those Ministers. On the present occasion, however, he brought forward his Motion with regret and pain; with regret, because it might be thought to cast a slight shade of disapprobation on the noble and gallant officer who filled the situation to which his Motion related; with pain, because he was afraid, from repeatedly making motions of that description, that he should make himself unpopular on the Benches opposite, where he saw sitting some of his earliest, his kindest, and his best friends. It would obtain for him probably the character of an economical reformer, which he knew was obnoxious, as every species of parsimony always was obnoxious, and when joined to his other character of a parliamentary reformer, might make him as obnoxious a person as any in that House. But at times like the present, the Motion with which he should conclude was demanded of him as a public duty—and feeling it to be a public duty, he would fearlessly discharge it. He had not the honour of a personal acquaintance with the noble Lord, the Lieutenant-general of the Ordnance; but he was not ignorant of his brilliant career in arms, which had commenced from early youth, had carried him to foreign service, and had raised him from the lowest to the highest rank in his profession; which had shone in Portugal, in Spain, and in France, and made him more than a sharer in the glories of Waterloo.

Old men forget; yes, all shall be forgot,
But we'll remember with advantages
What feats he did that day.

He thought that noble Lord fairly entitled to the favour and gratitude of the House, and he should think it mean and dastardly to grudge to his merits the rewards he fairly deserved. It must, however, be remembered, that that noble Lord already enjoyed the command of a regiment; it must also be remembered, that the House was called on every year to vote sums for the governors of fortresses, such as those of Plymouth, the Tower, and Edinburgh Castle, which were always defended on the ground that they were the proper rewards for great military services. The services of the noble Lord justly entitled him to such a kind of reward. Then was the situation of Lieutenant-general of the Ordnance such a species of reward? Certainly not; on the contrary, his argument was, that that office was of a double character, partly civil and partly military, and that it was not indispensably necessary. The principle on which he should argue the question was laid down in the Report of the Finance Committee, in these terms:—"No Government is justified in taking the smallest sum of money from the people, unless a case can be clearly established to show that it will be productive of some essential advantage to them, and one that cannot be obtained by a smaller sacrifice. The real wants of the people shall not be made to give way to any imaginary wants of the State, which arise from so many sources, that it is frequently very difficult to prevent the operation of an undue influence." Then the question was, is the situation of Lieutenant-general of the Ordnance productive of real advantage to the public service, or is it one of the imaginary wants of the State? He (Sir J. Graham) was prepared to argue that the office was not of essential advantage to the public service, but one of the imaginary wants of the state. In arguing this question, it was impossible for him to enliven a thrice-told-tale. This battle had been fought before; he had brought the subject before the House once already. He trusted, then, that the House would bear with him whilst he went over the evidence. The House would probably be alarmed at that portentous volume [*producing the Report of the Finance Committee*]; but it was his intention to read only a short extract or two. He should first refer to the evidence of the Duke of Wellington before the Finance Committee. His Grace had given plain answers to simple questions. The noble Duke was asked—"Do you consider the continuance of the Lieutenant-general of the Ordnance as essential to the well-being of the service?"—"Yes, I do." His Grace went on to give the reasons for his opinion. "The Lieutenant-general has some very important duties to perform. I do not mean to say that the Master-general cannot perform them, for he sometimes does perform those duties. In my time, the Lieutenant-general was absent sometimes, and at other times I was absent myself. When he was absent, I performed his duties." So far the evidence of the Duke of Wellington established the fact, that each of these offices was vicarious to the other. When the Master-general was absent, the Lieutenant-general performed his duty; and *vice versâ*, when the Lieutenant-general was absent, his functions were performed by the Master-general: the duties of each were the same. The noble Duke proceeded—"He has some duties to perform which are very important, and it is essential to the well-being of the service that he should perform them: the inspection of the troops, and a great deal of duty at Woolwich, particularly the examination of all the men for discharges." The last clause in his Grace's answer it was material to consider, because circumstances had occurred since 1828, which very much altered the force of his observation. It was this—"It is very material that there should be a military officer constantly at the Board." He (Sir J. Graham) would state how this office was constituted. There was a Lieutenant-general, a Surveyor-general, a Clerk of the Ordnance, a Storekeeper, and a Clerk of Deliveries. At the time when this evidence was given, the Lieutenant-general was in Portugal, the Surveyor-general was a naval officer, the Clerk was his hon. friend opposite, the Storekeeper was Mr. Singleton, and, in fact, the only military officer was the Clerk of the Deliveries; whereas, at present there were four military officers to one civilian. This fact materially varied the evidence of the Duke of Wellington, which was given at a time when there was only one military officer in attendance. When the Board assembled at present, and when the Master-general was in attendance, and the

Secretary, out of eight individuals, there were no less than seven military officers; two of them full Generals, two Lieutenant-generals, and two Colonels. It was more like a Court-martial than a Board to consider the important subject of contracts for timbering guns, the price of pipe-clay, and other matters which came before the Board. The next evidence he should refer to was that of his gallant friend (Sir H. Hardinge); and what was the evidence he gave? The first question was—"Is the office of Lieutenant-general of the Ordnance titular?" The anwer was, "No, he has duties to perform, which I conceive to be of a most important character." The next question he was asked was—"Does he attend the Board?" The answer was—"He ought to attend the Board, but he is at present employed in the command of the army in Portugal." "How have the duties of his department been performed in his absence?"—"I should say with very great inconvenience to the public service." He would request the House to consider, in conjunction with this answer, the statement of his gallant friend given in the opposite page—"I can state when I was at the Board, and Lord Beresford was absent, the Surveyor-general and myself being both military men, and assisted by the Duke of Wellington, did perform the duties of the Lieutenant-general, and I do not know that positive inconvenience resulted to the public from his absence." But he goes on—"But I must say it was greatly inconvenient to myself and Lord Downes, and those who performed those duties;" thus negativing the fact that the absence was productive of public inconvenience, and resolving it into a source of private inconvenience. The next question was—"Did not the Commission of Military Inquiry recommend the abolition of that office?" This question seemed to have staggered his right hon. and gallant friend He answered—"They did recommend the abolition of that office, but, I believe, with certain qualifications, and I also believe that they did not take the very best view of that subject." The gallant Officer then went on to detail the duties of the Lieutenant-general, as stated by the Duke of Wellington, respecting superintending the discharge of pensioners, the discipline of the corps at Woolwich, and he states, "the Lieutenant-general ought also to attend to the inspection of the men at Woolwich himself, to see that every soldier who is discharged with a pension is fit to be discharged; his military experience is of importance in superintending the discipline of the military corps at Woolwich." On the point he deposed to, as to the necessity of the Lieutenant-general's superintending the discharge of the pensioners and the details of the corps at Woolwich, he would refer the House to page 38 of the Evidence, where his right hon. friend gave the following reply. He was asked—"Why might not the pensioners be examined by the Chelsea Board?"—"I see no objection to it further than that the charge for the pensioners being in the Ordnance department, there would be no saving by the transfer; there would be a feeling on the part of the soldiers that their interests were not so well attended to by strangers as by their own officers." So far with respect to the pensioners. Then with regard to the discipline at Woolwich. The Committee ask — "Might not the office of the Lieutenant-general be dispensed with, if that duty were transferred?" His right hon. friend's answer was—"He has, besides, very important duties to attend to, in taking care of the discipline of the 7,000 artillery, and 700 or 800 officers, in attending reviews, and looking after the interior affairs and details of the regiment: in fact, he is a general Officer commanding a division of troops." Now he would beg to refer the House on this point to another part of his right hon. friend's evidence, in pages 110 and 111. "There is a sum of 1,642*l.* charged for a Deputy Adjutant-general and Assistant of Staff, the two Aides-de-camp, and so on: was not that appointment first made in 1795, after the war had begun?"—"I cannot state accurately what was the precise date, but the artillery requires the staff of a Deputy Adjutant-General for seven thousand men in as great a degree as any corps in the army would require a similar staff officer; and the artillery staff is, as compared with the force in men, smaller than that of the line." "Who fills that situation now?"—"Sir Alexander Dickson." "You consider that that is necessary now, though in former peaces it did not exist?"—"It is absolutely necessary; the routine of the roster of duty to be taken, the military police and discipline of the corps at Woolwich," his gallant friend added, with his usual force and adroitness, "in a great degree depend upon him, though under the orders of the

Lieutenant-general of the Ordnance." He (Sir J. Graham) would only trouble the House with one further passage from this evidence; it was in page 38. His right hon. Friend was asked—"If the Lieutenant-general has the discipline, what has the Master-general to do?"—"He has the general superintendence of the whole department, military and civil, in all its branches, and a complete control over it, so much so, that he can order and direct the Board to do as he pleases, except in matters of money and account." "Could not he give directions respecting the discipline of the corps, that which you consider now to be the special duty of the Lieutenant-general?" Here he would beg to remark to the House the statement of the Duke of Wellington, that he actually performed the functions of the Lieutenant-general when Lord Beresford was in Portugal. The answer of his gallant friend was,—"I conceive that he might, if it is supposed that the Master-general is to be always present." So that it was clear that the Master-general was competent to the performance of the duties of the Lieutenant-general, and might perform them without inconvenience to the public service. The gallant Officer went on—"But the Lieutenant-general has at the Board other very important duties; all the military questions come before him, such as the estimates for military works and fortifications; he has the whole of the military correspondence; for instance, if it is necessary to erect a barrack or a military work, and we are in communication with the commander-in-chief, it would come before him; he would assist the Board with his military opinion; we have become a much more military department than we were before, since the transfer of other departments, and at present there is a much greater necessity for a Lieutenant-general than formerly." If the department has become much more military, let the House observe how much more military the Board had become, consisting, as it now did, of six military men and two civilians. The last question he should quote was this—"If the Master-general were an efficient officer, applying his time and attention solely or principally to the business of the Ordnance, might not he fulfil all those duties with respect to the discipline at Woolwich, and the general superintendence of that department, which you have described as now falling on the Lieutenant-general?" He (Sir J. Graham) requested the attention of the House to the answer given by his right hon. Friend to this question—"The Master-general of the Ordnance has generally been an officer of State, and a Cabinet Minister, giving, on questions which may arise, his military opinion; the Master-general is, as I have before stated in the case of the Duke of Wellington, liable to be sent away on the public service." This had been the case in former instances. Lord Chatham, when Master-general, went with the expedition to Walcheren; Lord Cornwallis held the same office conjointly with that of Lord-lieutenant of Ireland. But at the present moment, when the Master-general was not a Cabinet Minister, and when there was no chance of his being called upon foreign service, all the reasons here alleged were futile. But he could not help thinking that his right hon. Friend contemplated a special case, when he added, "I conceive, if Lord Beresford, experienced as he is in the affairs of Portugal—'experienced! (exclaimed the hon. Member) as the groans of the victims of Don Miguel can testify, pining in the dungeons of Portugal; experienced! as those can testify who were forced to fly their native land'—were to be called away from his duties at the head of the Ordnance, and sent to Portugal, it would be extremely hard that he should be obliged to relinquish that situation, merely because he was found useful and efficient for the service of the State; but having a Lieutenant, who in his absence can do his duty, justice can be done to the department and to the individual." If ever there was a case established by the very evidence brought forward to defend it, but which militated, in fact, against it, he thought that this was the case, and that the direct converse was shown by the evidence of the Duke of Wellington and his right hon. Friend. He (Sir J. Graham) then came to the Report of the Commissioners of Military Inquiry; and he would first refer to the evidence of Lord Chatham before that Committee, a nobleman of whom, both on account of his name and talent, he could not speak with disrespect. Lord Chatham said, he considered the office of Lieutenant-general of the Ordnance a link of the civil and military service, and on that account essential to the due performance of the duty of the Board, as well as to support the Master-general in the duties of his extensive office. This might be well said in 1810, when Lord Mulgrave was Master-general; Sir Thos. Trigge, Lieutenant-general; Rob. Moorsom, Esq. (a naval officer) Surveyor-general; the Hon. Ashley Cooper, Clerk of the Ordnance; and Mr. Singleton, Clerk of the Deliveries. At that moment, out of nine persons, there were three military and six civilians. Now, however, out of eight persons, six were military, and two civilians. Before he adverted to the Reports of the Committee of Military Inquiry, and of the Finance Committee of 1828, he thought it better to anticipate an objection, that the Finance Committee had passed too hastily over the evidence of the Duke of Wellington and his right hon. Friend opposite (Sir H. Hardinge). But the fact was, that the Committee actually stated that they had given to the evidence of the Duke of Wellington and Sir H. Hardinge all the weight which was justly due to it. "Your Committee," the Report says, "have given to the evidence of the Duke of Wellington and Sir Henry Hardinge the consideration that is due to it, in consequence of the high authority from which it proceeds; they have considered the circumstances on which it is founded." They did not leave the House, therefore, to infer their sense of its value, for they stated it, and they stated also the reason why they came to an opposite conclusion, and why they viewed the testimony of those officers with jealousy. The reason the committee assigned was this,—"It is particularly necessary carefully to examine the reasonings and statements of those individuals, who, being qualified from their official stations to give full information, are liable to be led by professional feelings to recommend a higher standard of preparation for war than a less biassed view of circumstances might suggest. The inquiries of the Committee are necessarily attended with the difficulties already adverted to, of having to rely upon the evidence of those persons who, however qualified to give full information, are liable to be influenced by professional feelings." So that the committee had not only attended to the evidence of the Duke of Wellington and Sir H. Hardinge, but they told the House that the reason why they did not give full weight to it was, because it might be influenced by professional feelings, which might ensnare their judgment and bias their opinion. That was in fact the reason why the committee came to an opinion different from that of those officers. He could not help calling the attention of the House to the speech of the right hon. Gentleman opposite (Mr. Peel) on proposing this very committee. The right hon. Gentleman said, "On the subject of the estimates, I will say, that I am satisfied there exists in the new Members of the present Government, as well as in those who belonged to the last Administration, a sincere desire to see economy in the public expenditure carried to its utmost length, and if, through the recommendation of the Finance Committee, it should appear practicable to make some reduction in the expenditure of the next half year, that, I am confident, will be cheerfully effected."* No words could be stronger than these, and he believed that they led the House to think that the recommendations of the committee would be adopted. But if there were any doubts upon the subject, he might refer to the observations which had fallen from the right hon. Gentleman within the last ten days—and not once, but often—and not of a negative, but of an affirmative character. He thought he recollected the argument of the right hon. Gentleman in respect to the motion brought forward by him regarding the Treasurer of the Navy. His case then rested on a vote of the House in 1826, in which the House decided that that office should be held conjointly with another office. And what was the argument of the right hon. Gentleman? In that discussion the right hon. Gentleman contended that the Report of the Finance Committee of the year 1817 rode over the decision of the House in the year 1826, observing, that if the Reports of the Committees of that House were not attended to, they would, in future, instead of being beacons for the guidance of the House, prove nothing better than false lights luring to error and to ruin. Stringent and convincing as were his arguments when put affirmatively, they were not less so when put in a negative form. On the question brought forward on Thursday last, by his hon. Friend, the Member for Dover, the argument of the right hon. Gentleman was so convincing, that though he (Sir John Graham) had come down to the House with the intention of voting for the motion, the right hon. Gentleman's speech altered his intention, and he left the House without voting. The right hon. Gentleman then said, that the House ought on no account to refer the matter to a committee, because it would not only suspend the functions of the Chancellor of the Exchequer, but it would be a mockery to refer the subject to a committee unless the House were prepared to abide by its decision. Here, then, was negative and affirmative testimony, shewing that the report of a committee of that House ought to be abided by. And after all these professions and statements, let the House consider what was the tenor of the Report of the Finance Committee in respect to the office under consideration. He particularly begged to call the attention of the House to the first words of that Report, which were these: "The Committee might be disposed to question the amount of the salary of the Master-General, were it not for the recommendation they are about to propose, that the office of Lieutenant-general of the Ordnance shall be discontinued in time of peace." From that it appeared that the Committee would have recommended a diminution of the salary of the Master-general, had it not recommended the abolition of the office of Lieutenant-general. The Committee then proceeded to say, with reference to the office of Lieutenant-general, "The Commissioners of Military Inquiry entered into considerable details relative to the duties of this office, and made the following observations upon it: 'From the information given to us respecting the actual performance of any distinct duties by the Lieutenant-general of the Ordnance, we incline to the belief that this appointment was not essential to the constitution of the department, especially if it were to be understood that the attention of the Master-general should not be withdrawn from the duties of his office by other appointments.' The Committee concur in this opinion, and adverting to the fact that the Lieutenant-general has been absent from England at different times, they are of opinion that during peace the office of Lieutenant-general may be dispensed with, and the salary of it saved to the public." He called upon the Government to redeem their pledge with the public in good faith and honour. They had promised to reduce the establishments of the country, and yet in a time of peace they were called upon to maintain the profusion of a war expenditure. This was his opinion in the year 1818; how much more so ought it not to be now, with all the accumulated suffering which had since fallen on the country? Was there in fact any comparison between the degree of distress that prevailed in 1828 and that at present? Were there not at this moment large classes of the poor in a state of complete destitution, stretching out their hands for any portion of relief, and appealing to their humanity and compassion for sympathy and assistance? But he would plainly ask, were the Ministers free agents on the present occasion? Were they not pledged by their own resolution of the 12th of February? Had they not on that day resolved, that in all the establishments of the country, civil and military, every saving ought to be made which could be effected without the violation of existing engagements, and without detriment to the public service? This was what was promised on the 12th of February: why then was not this saving yielded to the public voice? If the Government fell back upon its own resolution, and when the opportunity arose refrained from evincing a desire to enforce it, it would be in vain for it to expect the confidence of the public: the people would retort upon them that they had abandoned their pledges, and shown no sympathy for the real sufferings of the community. Why was this departure from duty manifested? He verily believed, not because the Government were averse from succouring those who were distressed—not because they thought the public service required the prolongation of these offices—but because the Government was in such a position that it was compelled to have a certain mode of upholding influence within the walls of Parliament. Look at the list of Ordnance officers who were in Parliament? There was, first, the Master-general, who was himself a peer (Lord Beresford); then came the next in command, the Lieutenant-general, (Lord R. E. H. Somerset), who represented an important county (Gloucester) in the House of Commons; then followed the Surveyor-general, who was Member for Sandwich (Sir H. Fane); the Clerk of the Ordnance, the Member for Newport (Mr. Spencer Perceval); the

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* See Parl. Deb. Vol. xviii, p. 434.

Principal Storekeeper, the Member for Cambridge (Colonel Trench); the Clerk of the Deliveries, the Member for Scarborough (General Phipps); there was then the Secretary to the Master-General, the Member for Queenborough (Lord Downes); and lastly, the Treasurer, the Member for Bishop's Castle (Mr. W. Holmes), whose duties, whether civil or military, were not very accurately defined; they were, however, widely various, for whatever were his musters in the Ordnance, he was at least well known as Muster-Master-General of the troops in that House on all trying occasions. He really did not know how to designate the hon. Member's office better than by saying that he was the *Ajax flagellifer* of their divisions [*a laugh*]. So that out of eight principal officers of the Ordnance, one was a Peer of Parliament, and the other seven were Members of that House. In the year 1811, there were only four Members sent amongst them from that Board; but the number was doubled at this moment; it was quite evident how all these gentlemen must vote, for there was sufficient experience of an error of that kind, to know what would be the fate of a refractory member on such occasions; official persons so placed had merely to turn the ear of the deaf adder to any suggestions but those which were sent down to them from head quarters, and blindly follow the great captain of the Administration wherever he might choose to lead them. Let them hear no more then of East Retford when Sandwich and Queenborough were overawed by the Admiralty, Newport by the Treasury, and other boroughs by the Ordnance. Let them hear no more then of the great borough-holders—let them not be told of the Duke of Newcastle and of other noblemen in the same circumstances, when such doings as those of the Ordnance, and the Treasury, and the Admiralty, were before their eyes. The right hon. Gentleman opposite had on a former night adverted to the corruption which was known to have been exercised in the time of Sir Robert Walpole, and contrasted it with the decline of Government patronage which which was now obvious in all the public offices. But did the right hon. gentleman see no difference between Walpole's time and the present? Could the same unblushing tricks, and openly-avowed corrupt artifices be now played with safety by any minister? The overwhelming corruption of past times had been, as Mr. Burke well said, "the perennial source of all prodigality;" but it could not be practised to the same extent at present—no minister would venture upon such a mode of sustaining his government; the merit therefore was not great of abandoning views which were no longer practicable. Could it be possible indeed that that right hon. Gentleman shut his eyes to the fact, that times had changed since the days of Sir Robert Walpole? Could it be that his Majesty's Government were incapable of understanding the signs of the present times? If they possessed but the most limited capacity for reading those signs, they would perceive that the time was fast approaching when the people would no longer endure the prodigious establishments with which the country was loaded, and their inevitable consequence—a weight of debt and of taxation of which the history of mankind afforded no parallel. They might rest assured that the weight of that taxation would speedily make the people cry aloud in a voice that would be heard—cry aloud, and that immediately, for a still further reduction of all public establishments, with a view to the removal of public burthens. It was in vain to hope for the maintenance of these large establishments, or to get rid of most importuning and reiterated demands for retrenchment, until much greater reductions were made than had at present been effected by the Government. That House had already voted estimates in a time of profound peace for eighty-two thousand men; and had refused, though earnestly pressed, to bind up that bleeding artery, through which the circulation intended to give life to the country was so prodigally and profusely running away. Let the House of Commons do its duty, as it did on Friday night, and then the country would look up with confidence to its decisions. Let it but repeat the vote of that night, and though the Minister might dissolve them, yet they would stand erect in the face of their constituents, with the ennobling consciousness of having deserved well at their hands—for the time had arrived, when, if the Parliament did not practically admit that the people were something, the people would show them, in a manner the least agreeable, that they, in fact, were every thing. The sum at present in question was not much; it was a trifle compared with other sums; but the principle involved in the decision, the *animus* of the conduct of Ministers, was of great magnitude, for it would establish or reflect ridicule upon past pledges of economy: these

> "—— trifles, light as air,
> Are, to the jealous, confirmations strong
> As proofs of holy writ."

The people would judge for themselves by the decisions of that kind what dependence they could place upon the professions of retrenchment of which they had heard so much of late—they would see that parliamentary patronage must be preserved at all hazards; and would compare the votes of the Government with its pledges of economy—they would see the Government voting for putting money into the pockets of the sons of its Members, and they would see it refusing to obey the Finance Committee in the abolition of this office of Lieutenant-general of the Ordnance. If the people found chicane and miserable desire for place in those departments immediately under the eye of the Government, they would no longer submit to this degree of delusion, but would compel their representatives to do them justice. No Cabinet could possess, or at least for any time preserve, the support of the country, which, in times and circumstances like the present, maintained the offices of Lieutenant-general of the Ordnance, and Treasurer of the Navy. Such a tone and temper in the conduct of the Government could never be kept up with any regard to the strength and popularity of the Cabinet; but he had no doubt that the time was fast approaching, when the force of public opinion would teach Ministers to think less of their own patronage and private ends, and somewhat more of the wishes and the necessities of the people. For his part, he would endeavour to sustain their sinking spirits, in the hope that proper attention would still be paid to their wants and sufferings. He concluded by moving, that the proposed vote of 85,025*l.* be reduced to 83,825*l.*, to strike off the salary of the office of Lieutenant-general of the Ordnance [*hear, hear*].

Mr. *Spencer Perceval* said, he rose on the present occasion with considerable diffidence, for he knew it was out of his power to compete with the hon. Baronet, in securing the attention of that House. If he failed, then, in convincing the Committee that they ought to reject the proposed reduction, he knew that his failure would be attributable, not to any imperfection in the matter really at issue between them, but to his inadequacy to cope with the eloquent speech of the hon. Baronet. Of this he was quite sure, that if the office of Lieutenant-general were to fall this night from the Ordnance department, it would not be for want of its fitness and propriety, or the just necessity for its maintenance to discharge a full share of the public business. With this natural distrust in himself, he had the consolation of knowing that he should be followed by those who would repair what he might mar in this debate. The simple point to which he should call the attention of the House was, the evidence in favour of the retention of this office; and they had on the one side the testimony of the noble Duke at the head of the Government and of his right hon. friend near him (Sir H. Hardinge)—persons of the most competent judgment upon such matters, and who clearly, fully, and unhesitatingly, declared that it could not be abolished. Here were military men of the highest professional knowledge, who were known to devote themselves unremittingly and arduously to the duties of this department, in which they had served for five years, and who had put on record their evidence of the necessity of maintaining this office. And what was the testimony on the other side? Who were the men who sat in judgment upon the decision of such military authorities upon a purely military question? They were Gentlemen unversed in these affairs, upon which, nevertheless they took upon themselves to pronounce a sweeping and decisive opinion. A body like that Committee—ignorant of the details of the office, had nothing to guide them but the information which practical men were alone capable of affording, and when those of the highest authority afforded them information, could they proceed more wisely than in surrendering their opinions into hands so eminently worthy of being intrusted with them? But it was said, official gentlemen had a bias to keep up establishments,—might not there be a bias elsewhere to display a wish to pull them down, when the public were in a season of distress, and popularity the result of such a disposition to enforce reductions. It did not follow that the office was to be considered unnecessary, because the members of the Board had contrived to get through the business in the absence of the Lieutenant-general in Portugal. On the contrary, they declared that they had suffered great public inconvenience, (private the hon. Baronet said) but he repeated, great public inconvenience from the absence of their colleague. What said Lord Beresford in his evidence? "We managed" said the noble Lord, "by much additional work, to get on so that the public service suffered no inconvenience." This was the language of the noble Lord at the head of the department, who must be pretty well acquainted with the duties to be performed in it. He should not make any observation on that part of the hon. Baronet's statement which referred to the military duties of the office, because he really was not well acquainted with the nature of those duties; but this much he might say, that there were just the same number of military officers at the time when the noble Duke was at the head of the department as there are now. The hon. Member then referred to the evidence given before the Finance Committee to show the necessity of there being an efficient military person in the office of Lieutenant-general of the Ordnance, on account of the urgency and importance of his duties. The Duke of Wellington, he said, was asked "Do you consider the continuance of the Lieutenant-general of the Ordnance as essential to the well being of the service?"—"Yes I do" was the answer. "The Lieutenant-General," the Duke added, "has some very important duties to perform." The Duke afterwards explained that great inconvenience had been felt by the duties of this officer having, on occasion of his absence, devolved on another person. Sir Henry Hardinge, too, was asked, "Did not the Commission of Military Inquiry recommend the abolition of the office?" He answered, "They did recommend the abolition of the office, but, I believe, with certain qualifications; and I believe, that they did not take the best view of the subject." In reply to the question "What inconvenience had been felt by the absence of the principal officer," he said "I do not know that positive inconvenience resulted to the public, but I must say, that it was a great inconvenience to Lord Downes and myself, and those who performed those duties." The hon. Baronet had referred to the opinions of the Finance Committee. He would refer the hon. Baronet to the occurrences of the debate of 1828, when Mr. Canning read letters from the Duke of Wellington, in which that noble Duke offered the situation to two of his friends successively—Lord Hill and Lord Hopetown—and stated to them at the same time, that although he was anxious they should accept the office, yet that the duties were laborious and pressing; that they would be obliged to attend for a considerable portion of their time, and that he was afraid they must remain in town to perform those duties for the greater part of the year, if not the whole of it. This was the candid declaration of the Duke of Wellington in offering the situation to the acceptance of his friends. He remembered very well that at the time Mr. Canning read this letter, the hon. Member for Montrose declared that this was the old way of evading the question, and that the Duke was merely beating up for a person to supply his place, and do all the heavy work which he was not willing to perform himself. He (Mr.Perceval) did not believe that any one who knew the habits of business of the noble Duke, and the zeal and ability with which he discharged all the duties of his office, could suppose that he had any such intention, or that such an interpretation could be fairly put on this testimony, in favour of the importance of the office. He did not feel it necessary to say more. The hon. Baronet had given no reasons for the reduction of the office. He repeated he had heard no reason for it; and he should therefore leave it to the good sense and justice of the House to determine on the support of an efficient and important office.

Lord *John Russell* said, that if the House voted with the hon. Gentleman, it would be on grounds very different from any he had stated; for the hon. Gentleman seemed to despise not only the Finance Committee, but every Committee that had ever sat in that House. He could tell the hon. Member that Committees of that House were held in respect by all the Ministers of the Crown; the right hon. the Secretary of State had spoken of them with great respect, and even the Marquis of Londonderry had declared, in opposition to a motion for the appointment of a Committee on Finance, that their situation was so peculiar, and their powers so great, it was desirable not to make them too common. The hon Member should recollect, that the Finance Committee of which he spoke so lightly had been proposed by Lord Goderich, and appointed by Mr. Canning in the following year, who said at the time, if it should turn out in inquiry that there were excesses in the expenditure of the public departments, these excesses must not be taken to be a consequence of a disposition to excess on the part of the Government, but they were attributable purely to a desire on the part of the heads of the departments to keep these departments as efficient as possible, without considering the extent of the expense incurred by the country. The Ministers, in moving the appointment, stated that it was absolutely necessary to revise the public expenditure. Well, the Committee was appointed; it decided after diligent inquiry, that the office of Lientenant-general of the Ordnance ought to be abolished; and in opposition to this, the hon. Gentleman, after citing the opinion of the Duke of Wellington in favour of the office, declares at once, and without hesitation, that the case was so decided by experience and knowledge against absolute ignorance. He confessed he had never heard such language applied to a Committee of the House of Commons before, although he might have read something approaching to it in the speeches of Radical Reformers, when they advocated Universal Suffrage. He was confident that many of the Gentlemen on the opposite benches must differ from the hon. Gentleman, and none was bound to do so more than the right hon. Gentleman (Mr. Peel), who had repeatedly, during the present Session, expressed an opinion that the decisions of Committees were entitled to the highest respect; and even gone so far in the debate on the propriety of retaining the Treasurership of the Navy, as to declare, that if they did not attend to the reports of Committees, they would instead of a beacon to guide the House, become a false light to mislead it. The hon. Gentleman, however, took the opinion of a Finance Committee appointed by Lord Castlereagh; a committee which, from its being composed of too many official persons, his right hon. friend, Mr. Tierney (of whom he would say nothing more, after the eloquent tributes so lately paid to his memory), and, he believed, the present Lord Carlisle, with others, refused to attend. This Committee, whose reports, as it was said at the time, were made up at the office in Downing-street, was put in competition with that of 1828, appointed in an impartial manner, and composed of some of the ablest men in the House, and from its decisions the hon. Gentleman appealed to the committee of 1817. This was the nature of the hon. Gentleman's defence. The hon. Gentleman, moreover, dwelt on the inconvenience sustained from the absence of the Lieutenant-general in Portugal. It was a very different thing, however, to speak of inconvenience sustained by the absence of a Member who composed one of a Board, and the inconvenience which might arise from the abolition of the office. In the one case disorder might ensue by his duties being suddenly thrown on others, but the question in the other was, whether, if those duties were distributed among them, they were not able to perform them? This was the question before the House at that moment, and being satisfied that they could be so performed, he should vote for the Amendment of the hon. Baronet.

Colonel *Gordon* differed altogether from the noble Lord and the hon. Baronet on this question. He was a military man, and he felt it necessary to give his vote for the army. The House complained of the increase of military offices, and they should not complain of these offices, which were given them as privates. The office, he believed, was but a poor 1,200*l.* a year—nothing more, or he believed very little, and he thought it was beneath the talents of the great civilians in that House to enter the arena against the army, and strip for a contest with them about a petty sum of that kind. What was the paltry sum of 1,200*l.* a year compared with the services of the army, which had so many commanding claims on all the sympathies of the House? It was absolutely a mere nothing. It was, he repeated a great professional case, and in that light alone ought they to consider it. If the hon. Baronet wanted 1,200*l.* a year for the use of the country, why did he not take hold of a Prebendary of Rochester, or some person of that kind, instead of attempting to deprive the army of the little which was left to them? He thought the hon. Baronet had not made out a good case, and he should vote against him.

The Earl of *Uxbridge*, in a tone so low as to be scarcely audible in the gallery, stated his conviction, founded on the opinion of the noble Duke, as well as of his father (the Marquis of Anglesea,) that the office of Lieutenant-general was absolutely necessary. He felt it right to say this, because he had voted against Ministers on Friday, and he wished to guard himself against the inconsistency of being supposed to espouse one party to-day and another to-morrow.

Mr. *Perceval*, in explanation, expressed a high respect for every member of the Finance Committee, and declared he did not intend to impute ignorance, in the sense ascribed to it, to any member of that Committee. He only wished to suggest to the House that it was probable, as the committee was composed of unprofessional men, that it might have formed its opinion on insufficient grounds.

Mr. *Liddell* felt it necessary to explain the vote he had given the other evening, and at the same time to guard himself against the inconsistency which the noble Lord seemed to dread. He had voted for the pension to the sons of Cabinet Ministers because he thought that having filled office they deserved the retiring allowance, and because he wished to show that Ministers deserved credit for having reduced these offices when so filled. He had voted with Ministers then, because, although he loved economy as much as any man, he loved justice more. He had read the Finance Report with attention, and came down prepared to vote for the Amendment of the noble Baronet, but after hearing what had fallen from the noble Lord, and after weighing the high testimony that there was in favour of continuing the office, he was compelled to vote against the hon. Baronet.

Lord *Howick* spoke in favour of the Amendment. He protested against the House being led by the opinions of the Duke of Wellington, and he thought that the power of doing without the service of the Lieutenant-general for some months was the best proof of the unnecessary nature of the office. His opinion was formed on facts, not on the opinions of other men, and therefore he should vote for the Amendment.

Sir *Henry Hardinge* said, he thought with the hon. Member for Northumberland (Mr. Liddell) that the testimony of the noble Lord, or his noble friend, if he would allow him to call him so,—and well he might if great respect and long acquaintance could justify the use of the term,—his noble friend's testimony, derived as it was from his noble father, well deserved the attention of the Committee. The opinion he had stated to be held by the noble Marquis of Anglesea was no other than he expected from a nobleman for whom he had the highest professional respect. When the noble Marquis concurred in opinion with the late Master-general of the Ordnance in the propriety of keeping up the office of the Lieutenant-general, that was such high professional testimony that none more convincing could be offered. He might rest his case on that, but he felt it necessary to advert to the arguments, though he did not feel himself equal to the task of answering the speech of the hon. Baronet, filled as that was with well rounded periods and classical quotations. He could not compete with him in declamation; but as far as plain facts went he should endeavour to show that the hon. Baronet was mistaken. The hon. Baronet had indulged in a great deal of declamation about distress; but although that distress might form a good reason for doing away with unnecessary expense, it was none for the abolition of an office which the public service rendered indispensable, and which the House, in the year 1818, had, by a large majority, declared to be so. The only reason for abolishing it was, that the Finance Committee, on the evidence of the Military Commission, had declared it should be abolished; but he thought he should be able to show that the commissioners were mistaken in the view they took of the nature of the office, as well as of the constitution of the Board. He begged leave to state what the number of the absences of the Master-general and the Lieutenant-general of the Ordnance had been during the last thirty years. Lord Mulgrave, while Master-general, had never been absent. Lord Moira had never been absent. Lord Chatham, in eight years, was absent for four months; and the Duke of Wellington, in nine years, had been absent about six months—making a total absence of ten months in thirty years. He was not able to go further back than twenty-five years with regard to the Lieutenants-general, and the absences amounted to eighteen months in the whole, or to about three weeks in each year. The principal instance of absence was that of Sir W. Clinton, who, on a sudden emergency, was sent to Portugal at the head of an army, and while he was away it was in contemplation with Lord Goderich's administration to appoint Sir Herbert

Taylor in his stead—although that intention was not carried into execution. He also wished to call attention to the number of witnesses in favour of the continuance of the appointment of Lieutenant-general. Lord Chatham had held it most important; and in 1822 Mr. Canning had delivered a celebrated speech in its favour. In that speech he had truly stated that the Military Commission had never contemplated the continuance of the Board of Ordnance with less than five Board officers, and it was equally true that the salaries of the Board officers were at present actually less than had been recommended by the Military Commissioners. The Finance Committee of 1817 or 1818 had never once called the necessity of this office in question, with all their anxiety for retrenchment, and it was but fair that they should now bear in mind the strong evidence of the Duke of Wellington in its favour in 1822, when he never anticipated that it would so soon be selected for attack. In that year the noble Duke had required that the Lieutenant-general should reside entirely in London, in consequence of the arduous nature of his duties, thus giving his decided and unimpeached testimony in favour of the continuance of the office; at that date, too, no Finance Committee had made a report to call the matter in question. The foundation of the recommendation of the Finance Committee was the absence of the Master and Lieutenant-generals; but he had shown that upon that point the Committee was wholly mistaken. Of his own evidence before that body, he (Sir H. Hardinge) would only say that the hon. Baronet (Sir J. Graham) had not been able to show any discrepancy in it: he had spoken truly and honestly, and he had adhered to every word he had uttered. After all the reductions and improvements in the Ordnance Department—and after it was admitted on all hands that it had been rendered most complete and perfect, it was hardly fair for the hon. Baronet to propose an amendment, declaring that, as a reward for all that had been done, one of the principal offices should be abolished. Mr. Ward, when Clerk of the Ordnance, had candidly allowed that it would be much better to reduce his own office than that of Lieutenant-general. In 1823 the English and Irish Barrack Departments, and some others, had been added to the Ordnance, and a saving of more than 4,000*l.* a year thus effected. The Duke of Wellington, before the Finance Committee, had given his evidence strongly in favour of retaining the appointment, and he (Sir H. Hardinge) called upon the House not now to throw a slur upon his Grace by carrying the Amendment. A more unjust proposition was never made, and it was directly opposed to the decision of the House in 1822 and 1828.

Lord *Althorp* said, he had no doubt that the Duke of Wellington and the right hon. Gentleman had given their evidence in perfect sincerity, and were at the time convinced that they were correct in their opinions; but he contended that the House had a right to be satisfied with respect to the reasons on which their opinions were founded, without meaning to throw reflections on the evidence, or to arraign the motives of those by whom such was given. In the present instance the committee was satisfied that the reasons given for preserving the two offices were insufficient, as they found that the duties of the Lieutenant-general could very well be performed by the Master-general, as they had often been before. What were the duties which the Lieutenant-general had to perform, exclusively of what he performed as a Board officer? None, except it was those of the Master-general, when he was absent. In that case he admitted that the Lieutenant-general was an efficient officer. But if it were the business of Government to provide for the absence of their officers, they ought to have a deputy for every office. The right hon. Gentleman had taken the average times of absence of the Master-general during a certain period of years; but he did not think that that would do away with the plain fact, that the Master-general was absent for fourteen months together. It had been stated that the Finance Committee preferred this Board to any other Government board. The reason of that was, that every officer had distinct duties to perform, with one single exception, and that was the Lieutenant-general. He knew that the duties now assigned to this officer were ably performed by the noble Lord who held the office, but he was decidedly of opinion that the office either of the Master-general or of the Lieutenant-general was unnecessary. The noble Lord concluded by expressing his intention of voting in favour of the Amendment.

Lord *E. Somerset* said, he did not rise to speak on the general question before the House, but simply to correct an error into which the noble Lord who had just spoken had been betrayed. The noble Lord had stated that the duties of the Master-general and of the Lieutenant-general of the Ordnance were the same, and might be performed by one person; but he could assure the noble Lord, that since he had the honour of filling the situation of Lieutenant-general, he had had constant occupation, and the Master-general had always been present. He considered that the duties of the Master-general could only be performed by an officer of high rank.

Mr. *Maberly* stated, that notwithstanding the majority which the Government had in the Finance Committee, that Committee had come to the resolution of recommending the abolition of the office of Lieutenant-general. He conceived that the duties of that officer could be better performed by one of the Generals of the Artillery, than by officers of the line; for they were such as required some scientific knowledge. In his opinion it would be economical to appoint an artillery officer to do the duties.

Lord *Morpeth* informed the House, that notwithstanding the authorities it had heard quoted in favour of the office in question, there were also some which could be adduced of an opposite nature. Lord Moira, in 1810, said that the Lieutenant-general had no duties to perform beyond what he performed as a Board-officer, except in the case of the absence of the Master-general. It appeared that Ministers in that House were inclined to adopt the doctrine broached elsewhere, and to hold committees cheap. The only recommendation for specific reduction given by the Finance Committee was with respect to the office under debate, and that recommendation had been neglected. He considered the diminution in taxation which the House must make ought to make it more earnest than ever in reducing the expenditure.

Mr. *Peel* said, no man was more disposed than he was, to give full credit to the hon. Baronet, who moved the Amendment for the most perfect sincerity, yet he was sure, that the hon. Baronet would not desire to be exempt from that ordinary rule of debate, by which all that was said by one party was not taken for granted by their opponent, but submitted to that close examination, which was necessary to the investigation of truth. The hon. Baronet had proved himself a most skilful advocate, for with all his professions of sincerity he had contrived to press into his speech every argument, connected or unconnected with the subject, which might produce an impression unfavourable to the Government—the influence of the Crown in that House; and the opinions of Lord Beresford in Portugal; the condition of the Portuguese confined in Terceira; and lastly, Ajax himself! All this might be very well by way of ornament, but did not seem to have much connection with the object which the hon. Baronet professed to have in view,—namely, to prove that the office of Lieutenant-general of the Ordnance was an unnecessary one. The hon. Baronet first attempted to throw on Government the blame of treating with marked disrespect all committees, and particularly the Finance Committee, and called upon the House to support that last-mentioned Committee. Now, what were the facts of the case? The Finance Committee made four very able reports, containing several suggestions as to the most proper mode of carrying on the public service, and, with the single exception of the office of Lieutenant-general of the Ordnance, the recommendations of that Finance Committee had been acted upon, or attempted to be carried into effect, by the Government. If the House recollected, the first Report of the Finance Committee referred to the mode in which annuities were granted, and pointed out how a saving might be effected by an alteration of the system. That suggestion was immediately assented to by the Government, and carried into effect by the bill which was brought in by his right hon. friend, the Chancellor of the Exchequer. The second Report referred to the Ordnance, which for the present he would not notice. The third Report recommended an alteration in the mode of granting superannuation allowances; and, if that recommendation were not carried into effect, it was certainly not owing to any fault of the Government. His right hon. friend proposed a measure to carry into effect that recommendation, but he did not meet with that support from the House which he felt himself entitled to expect. The fourth report of the Finance Committee reviewed the general financial system of the country, and among its recommendations was the abolition of a nominal and delusive sinking fund. That recommendation was carried into effect, and a bill was brought in to appoint a surplus revenue for the purpose of forming a sinking fund. The second Report of the committee referred, as he had said, to the Ordnance Department, and every one of its recommendations relating to the reduction of the salaries of the officers had been attended to. The Government could not, therefore, be charged with treating with disrespect the recommendations of that Committee. They had given practical proofs of their desire to carry into effect the improvements suggested by the Finance Committee. But how was it the duty of public servants to act? If a man in the situation of the Duke of Wellington were conscientiously convinced that it was for the interest of the State that a certain office should be maintained, was it his duty to act contrary to his conviction, and propose to the House to adopt the recommendation of the Committee of Finance, or appeal to the House from the Report of the Committee, and give effect to that, which in his conscience he believed would tend to promote the interests of the public service? If a Minister of the Crown, whom the Constitution made responsible for his conduct, was not to act on the well-considered deliberation of his own mind,—if the Duke of Wellington, responsible as he must be for the efficiency of every branch of the military service, but above all of that particular branch over which he presided for so many years, was not at liberty,—nay, if it was not his sacred duty to appeal to that House (for that was all he claimed a right to do) in support of what he believed to be most advantageous to the public service,—the responsibility and the duty of Ministers became a perfect mockery. The noble Lord had said, that the Committee of Finance had a right to reject the opinion of the Duke of Wellington. He admitted that they had, and he hoped at the same time the noble Lord would concede to Ministers the right of differing from the Committee, and of submitting to Parliament what they conceived to be best for the public service. And who were the individuals who entertained the opinion that the continuance of the office in dispute would tend to promote the public service? They were those who had followed up the example set by their predecessors, and who, having filled the office of Master-general, had been constantly occupied in endeavours to reduce the expenditure of the establishment. None had laboured with more zeal and greater success in this way than the Duke of Wellington, who, during the period when he was Master-general, was so far from manifesting a disposition to encourage superfluous expense, that the Ordnance Estimates had been reduced in amount by 1,000,000*l.*: and there never was a case in which so much perhaps even necessary establishment had been reduced, and so much patronage lost to the Government. Much had been said with respect to the discontinuance of the Finance Committee, but he was sure that many of those Gentlemen who regretted its non-existence were aware that Government was more able to examine thoroughly into the different departments of the State, and propose reduction. Indeed, a Finance Committee, in consequence of its being unable to examine into details, might become an authority to Government for expenditure rather than reduction. Among the recommendations of the Finance Committee was one, that inquiry should be prosecuted by the Government, as it could do more than any Finance Committee. Had the Government disregarded that recommendation? On the contrary, it had shown every respect to the Committee of Finance, and since it had closed its labours, great reductions had been made in the civil establishment of the Ordnance, as advised by the Committee. By the labour of officers in that department reductions had been effected to the extent of 27,800*l.* Further reductions to the amount of 4,500*l.* were in contemplation, and would be carried into effect before the next Estimates were brought forward. Having stated these facts, he was relieved from the necessity of saying any thing further on the charge which had been brought against the Government, of treating the Finance Committee with disrespect. The Committee had not been continued, in order that Government might examine into every department of the State. It was not therefore from any desire on the part of the Government to shrink from inquiry, but from a desire to undertake inquiry, that the Committee was not reappointed. The hon. Gentleman had said that there was some inconsistency in his (Mr. Peel's) declining to adopt the recommendation of the Finance Committee with respect to the office of Lieutenant-general, when he showed himself so strict an advocate for the opinion of a committee respecting the Treasurership of the Navy. But this hon. Gentleman must see that his argument partook of a fallacy. The hon. Baronet proposed a vote of condemnation against the Government for retaining the office of Treasurer of the Navy with a salary of 2,000*l.* a year. That proposition he had met with the argument that it was not fair to visit the Government with a vote of condemnation, when it adopted the recommendation of a Finance Committee, which was the best guide by which it could learn what was the opinion of the House. By adopting that recommendation of the Committee, he showed no inconsistency between the course he was now pursuing and that which he pursued on a former occasion. Since the discussion in 1823, the House had not adverted to the saving of expenditure effected in the Ordnance Department and the additional duties imposed. Since that period the Comptroller of the Barracks, with a salary of 1,500*l.*, had been abolished, and by the duties which had been transferred to the Ordnance Department, a saving of 4,680*l.* had been effected. All these alterations had added to the duties of the Lieutenant-general, which were various. They related to the recruiting department, to the examination of cadets and other subjects. The hon. Baronet had said, that in the present distressed state of the country, the Lieutenant-general, being a useless officer, ought to be dismissed. If he were a useless officer, he ought to be dismissed at any time, whether the country were distressed or not; but if by dismissing him the efficiency of the service would be impaired, the Government would not be justified in abolishing the office in order to court popularity in a time of distress. The question for the House to consider was, whether or not the office was a proper one. But the hon. Baronet inferred, that Government defended the present vote on the ground of preserving the influence of the Crown in that House, and had accused him of casting a longing eye to the times of Sir Robert Walpole and Mr. Pelham, when 270 servants of the Government filled the Benches of that House. The hon. Baronet had accused him of having expressed an opinion in favour of a return to those good old times, but he had only referred to them to show what was the state of the influence of the Crown in the House at that time. The hon. Baronet said, this office was maintained for the purpose of increasing the influence of the Crown. In enumerating the illustrious names of those who had filled the calumniated office of Lieutenant-general of the Ordnance, he appealed to the House to decide, whether those appointments were more likely to have been the result of a desire to court the favour of parliamentary influence, or from a desire to enlist in the military service during times of peace those officers who had rendered themselves most conspicuous by their exertions and character during war. When the office became vacant in 1822, the first offer of it was made to Lord Hopetoun. The situation would be accompanied, as his Lordship was told, with incessant labour, and almost perpetual residence in London. On these grounds Lord Hopetoun refused the situation. The next officer to whom it was offered on the same conditions, and by whom it was on the same grounds refused, was Lord Hill. The third offer was made to Lord Beresford, and accepted. On its resignation by that noble Lord, it was filled for a short time by his right hon. friend, Sir George Murray, whose exertions in war, and whose glorious campaigns had so greatly distinguished him. When the office was resigned by him, it was offered to Sir W. Clinton; on Sir William Clinton's quitting the office [*hear hear!*] he was surprised at the sneer which had followed his mentioning the retirement of Sir William Clinton—he was surprised at its coming from the part of the House which it came from, and from which he should least of all have expected any condemnation of the determination of Government to be unanimous on the question to which that retirement referred—he had thought the House had heard enough of imputation on Mr. Pitt in former times, with reference to the Slave-trade, and on other Governments engaged in important measures, for allowing themselves to be defeated by the votes of persons connected with them in office. Of this he was sure, that if Government had been defeated in their proposition last year by the votes of persons holding office under them, he should have received from the hon. Baronet a lesson on the subject in terms of no very mild a nature. But to return to the point from which his attention had been for a moment diverted: it had been said that this office was filled by men of great family and much parliamentary influence; but he thought it was rather a subject of congratulation that the best blood of England should have been shed in those fields of glory where its honour had been so bravely asserted; and if such men had so distinguished themselves, was the fact of their connexion with high and noble families to deprive them of their well-earned reward? Miserable, indeed, would be the fate of those hon. and gallant officers, if, after all their great services, his noble friend at the head of the Government were to say to such men as Lord Hopetoun, Lord Hill, Lord Somerset, and those others of his gallant companions in arms,—"'Tis true you have distinguished yourself by most heroic efforts in the service of your country,—'tis true you have, in times of peril, appeared as the intrepid assertors of her honour,—'tis true you are entitled to reward, and are eminently qualified to be placed in a situation where your country may derive still farther benefit by your military skill,—but it is also true, that you are descended from great families, connected with much parliamentary influence, and I must not recommend you to an office of which you are every way so worthy, lest I should incur a sneer at having made the recommendation with a view to that influence." Such language would be unworthy of his noble friend, and unworthy of the country in whose service he and his gallant companions so honourably distinguished themselves. In conclusion, the right hon. Gentleman expressed a hope that the vote of that night would not have the effect of declaring that this office was kept, not as a reward for military merit, and he had not put it on that ground, but was retained for the purpose of the influence which might be gained by a single vote.

Mr. *C. Grant* said, that his right hon. friend (Mr. Peel) had himself fallen into the error of which he had accused his hon friend the Member for Cumberland, who brought forward this Motion. In the speech with which he had just favoured the House, his right hon. friend had drawn their attention to any thing rather than to the particular question on which they were to be called upon to vote. His right hon. friend had mixed up a great variety of topics, but with no little ingenuity had left out of his consideration altogether the utility of this office. What did his right hon. friend's speech consist of?—an introduction of the four Finance reports—an account of pensions and superannuations,—an eulogium on the noble Duke at the head of the Government, in the justice of which he fully concurred—a panegyric on the gallant feats of those distinguished officers who held this office in the Ordnance, or to whom it was offered, and a dissertation on the advantages of a united cabinet. But if his right hon. friend found a united government so necessary as to feel warranted in dismissing a gallant officer from his situation, for an expression of an opinion opposed to that Government on one great measure, why had certain persons in civil situations been allowed to remain to struggle against that measure? He admitted the great and valuable services of those distinguished officers whose names had been mentioned in connexion with this situation; but he must say, that those illustrious names had not been fairly dealt with in coupling them with a useless place, and in exposing them to some share of the obloquy which must reflect on them from a connexion with such an office. He must protest against the tone which had been assumed in the course of this debate (he did not say by his right hon. friend, Mr. Peel), as if it were a matter of extravagant presumption in any man whose brows were not covered with laurels to dispute the authority of the Duke of Wellington on this question. He (Mr. Grant) had a very high respect for the authority of the noble Duke, and also for that of the hon. and gallant Secretary at War, but the House was called upon, in this case, to act for itself, and should not be influenced by the dictum of any man, however deservedly high his character. The noble Duke at the head of the Government could not do otherwise than submit the matter for the opinion of the House, and he hoped that opinion would be pronounced in resistance to that tone in which the House was addressed on the subject. It was in evidence before them, and no man had pretended to controvert the fact, that the business of the Ordnance might be performed by one assiduous person. No doubt a Lieutenant-general was found useful when the head of the office was absent—when, for instance, the Duke of Marlborough was at Blenheim—when

Lord Cornwallis was acting as Lord Lieutenant of Ireland—the attention of a Lieutenant-general was required, and found very useful in the absence of the principal; and at the very time when the office was offered to Lord Hopetoun, the noble Duke at the head of the office was engaged on an important diplomatic mission abroad. They had, then, the authority of the Finance Committee, supported by that of the Military Commission of 1822, for saying that one person could discharge the business of the office; but they had, in addition, this important fact, that for fourteen months the gallant officer who held the office of Lieutenant-general, was engaged in the command of the army at Lisbon. What became during this time of that vast detail of important business which the Lieutenant was daily to superintend—of the thousands of pensions to be paid—of the 3,000 or 4,000 persons at Woolwich, and other places, whom he was obliged to know personally, and to be in daily communication with? What became of all these during that long period of absence? Why to vote, after these facts, that the office of Lieutenant-general of the Ordnance was necessary, would be as much in the face of common sense, and against the evidence of facts, as was the resolution which voted that a 1*l*. note and 1*s*. were equal in value to a golden guinea, at a moment when every man in the country was convinced of the reverse. His right hon. friend had maintained, that the hon. Baronet's reference to the state of the country had nothing to do with the question. He was of a different opinion. He thought the state of the country gave great urgency to the necessity of adopting the hon. Baronet's proposition. The subject derived its importance, not from its nominal amount, but from the present situation of the country. They had heard much of public opinion. Never was there a time when it was more fully brought to bear upon that House. Such was the diffusion of knowledge, and the communication of intelligence, that scarcely was any vote of importance carried in that House, when it was discussed and canvassed in every part of the country,—not merely amongst the higher and those who were usually termed the enlightened, but amongst the lower and now not less enlightened classes of the community. But beyond this the House had already made for itself a favourable impression in the good opinion of the country. It had forced considerable reductions of taxation on the Government; would it not be strange then, particularly after the memorable vote of Friday evening, that it should now refuse to do its duty where a similar principle was involved? Let him also remind the Members that they were in a short time to have under their consideration the superannuation. If, in the discharge of their duty, they should feel obliged to press hard upon a very valuable set of public servants,—the clerks in public departments,—would it not be inconsistent to allow themselves on this night to be defeated by the influence which the Lieutenant-general of the Ordnance could throw round him. He called upon the House, therefore, not to nullify the vote which it had come to the other evening, but to follow up the career which it had then commenced.

Colonel *Wood* contended, that his right hon. friend who spoke last had not proved that this office was unnecessary. He complained of the right hon. the Secretary of State diverging from the subject before the House, but he had done the same thing himself. His right hon. friend, with many other Members, laid great stress upon the opinion of the Finance Committee, but as the evidence taken before that Committee had been printed, he could not see why the House at large was not as capable of forming a judgment on that evidence as the twenty-one hon. Members of whom the Committee had been composed. Now it should be recollected, that when this question was formerly brought under the consideration of the House, there was a majority of above 200 Members against a minority of about 92, negativing the recommendation of the Committee. Let it also be remarked, that that decision was come to the year before last. It was natural to suppose, therefore, that its justice was acquiesced in, as the hon. Member for Montrose would certainly not have passed it over last year, when the Estimates were under consideration. Indeed, the hon. Baronet, in bringing forward his present proposition, was, in his opinion, rather poaching upon the hon. Member for Montrose's manor. As to the distress on which so much had been said, he believed it was in a great measure going away. At that hour he would not open a new subject, but he would name one place highly interesting to the agricultural community, in which the distress was certainly lessened—he meant Mark-lane. He must say, that he thought it most unfortunate that such great questions as the poor-laws, tithes, and other topics connected with the morals and happiness of the people were stayed by debates such as that which had just taken place. He hoped that after Easter they would be brought forward, and he hoped that the benches of the House would then be as well filled. Believing that the existence of the office was necessary for the due performance of important public duties, he should vote against the hon. Baronet's Amendment.

Mr. *Charles Wynn* would shortly state the grounds of his vote. Whether the sum which it was proposed to save was large or small, it was the duty of the House to apply to the consideration of it the principles of economy. But then it ought to be an economy well understood. For his part, he believed that the first and truest economy was to provide for the most efficient discharge of the duties of the Board in question. That those duties could not be discharged so efficiently without the existence of the office which it was now proposed to abolish was the undoubted opinion of all by whom that office had been held. The right hon. Gentleman had relied much on the circumstance of the holder of the office having been fourteen months absent in Portugal; but he ought to recollect, that during those fourteen months the duties had been discharged by increased exertion on the part of the other chief officer of the department. That increased exertion was such as a man of talent might employ upon an emergency, or under peculiar circumstances, but he could not be expected always to continue such exertions. Besides, if that were an argument for the abolition of this office, there was scarcely any office that might not be in like manner abolished. The duties of the office of First Lord of the Treasury had been discharged during the illness of the Earl of Liverpool by the Chancellor of the Exchequer, and the other chief officers of the Government; but was that a reason why we should have no First Lord of the Treasury? He recollected that when Mr. Fox was indisposed, the business of his office was performed by Lord Spencer and others; but was that any reason why the office which that eminent statesman then held ought to be abolished? Surely no one would answer in the affirmative. If the House were to act on the principle of sending out inquiries to ascertain the least possible expense at which the duties of various offices could be performed, there was no doubt they would find persons to fill the offices, but the manner in which the public service was performed would be deteriorated. Under these circumstances he should give his vote as he had given it in 1822 and 1828, for the maintenance of the office, from the evidence formerly given, and from the statements now made, both of which satisfied him of the propriety of retaining it.

Sir *James Graham*, in rising to address the House in reply, could not but take the advantage of congratulating them on the fact (if it could be realised) of the decrease of public distress. He could not, however, fail to observe the equivocal proof given by the hon. Member for Breconshire, of the decrease of the public distress. The hon. Member, as a proof of his assertion, had told them that the price of corn had risen in Mark-lane. Why, there was no circumstance which so aggravated the public distress as that. It was the high price of corn, contrasted with the low rate of wages, which pressed upon the labouring population with such fatal effect. He should not, however, upon that question, and at that hour, go further into the question of the cause of the present distress; and after the able speech of his right hon. friend (Mr. C. Grant), he should feel it almost superfluous to say anything in reply to the right hon. Secretary of State for the Home Department. One observation, however, he would make. The right hon. Gentleman had expressed his surprise at the cheer which he (Sir J. Graham) had given to the remarks made upon the punishment (so he must call it) inflicted upon General Clinton. But if the right hon. Gentleman thought that cheer a matter of surprise, he (Sir J. Graham) was still more surprised at the cheer which he believed the right hon. Gentleman had given to the remark of the hon. Member for Breconshire, that this Motion had not been brought forward in the course of last year.

Mr. *Peel* said, the hon. Baronet was mistaken, he had not cheered.

Sir *James Graham*, in continuation, was glad to hear the denial, for he should indeed have been sorry that the strenuous support that side of the House had last year given to the Government in a great measure of liberality and pacification—a support given when its usual supporters had left it, and when it became in consequence weak, nay powerless—he was sorry, he repeated, to imagine that this generous support had been turned against those who bestowed it, or that because the Members on that side of the House had forborne this Motion, that they were, by those whom they had supported, now to be taunted with their forbearance. It was, he confessed, a fact he was sorry to have witnessed, and he was glad to find that he had been in error, and that his allusion to it had afforded the right hon. Gentleman the opportunity of denying it. But to return to the cheer he had given respecting the punishment of General Clinton. It had been said, that they on that side of the House liked an united government. For himself, he did like it, and in that respect he differed from the hon. Member for Westminster, who seemed to like weak governments; and could he find a government that acted upon principles such as he deemed calculated to secure the happiness and prosperity of the people, he should give it his cordial, his generous, and universal support. But while he and those around him liked an united government, they liked also a government that acted with boldness and with justice. He was sorry to say that was not the case with the present Government. They had cashiered General Clinton, because he had not voted on a certain question—they had cashiered the Attorney-General, whose conduct was candid and manly; but they had overlooked the offences of others, because these latter offenders were powerfully connected. He would not disguise his meaning; it was his habit to speak out fairly, and he would at once state that he meant the Chief Commissioner of the Woods and Forests, the Judge Advocate, and the Secretary to the Board of Control. All had been more active than General Clinton, and fully as active as the Attorney-General, in their opposition to the measure then introduced, but they were not dismissed, or, if they were, had been afterwards re-admitted to form a part, aye, and an essential part too, of his Majesty's Government. Upon the present question, one of his arguments was quite unanswered. The constitution of the Board of Ordnance had been changed since 1828, so as fully to justify this reduction, without the least danger to the interests of the public. He would only allude to one more topic. It had been said, that he had cast slurs upon the Duke of Wellington. He disclaimed the imputation, and he only regretted that in every measure, as in that of the measure of Irish pacification, he could not give the Government of which the noble Duke was at the head his cordial support. He repeated, that he liked a strong government; but for the government to be strong it must pay deference to public opinion, and most especially it must reform those abuses that were connected with corrupt parliamentary influence. He warned them that the time was shortly coming when, if they did not do their duty, the people would see abuses, and would see nothing else: those abuses they would correct, and it was notorious that their correction was not always of the sort which prudent men would most desire; for of them it had been said, and he believed not without reason, that "they abated the nuisance, but they pulled down the House"

Mr. *Peel* utterly disclaimed having cheered any observation which tended to reflect on Gentlemen on the opposite side of the House for not having brought forward this Motion last year.

Sir *H. Hardinge* denied that the constitution of the Board of Ordnance had been altered since 1828. The number of military officers belonging to it was the same now as before that period.

The House then divided, when there appeared—Against the Amendment 200; in its favour 124—Majority in favour of Ministers 76. The Resolution was then agreed to.

List of the Minority.

Althorp, Lord
Attwood, M.
Burrell, Sir C.
Burrell, W.
Baring, Sir T., Bart.
Baring, F.
Baring, W. B.
Beaumont, F. W.
Blandford, Marquis
Buck, L.
Benett, J.
Bernal, R.
Brownlow, C.
Burdett, Sir F.
Bentinck, Lord G.
Birch, J.
Bright, H.
Buxton, J. J.
Buxton, T. F.
Bankes, H.
Cave, O.
Cavendish, W.
Carter, J.
Calthorpe, Hon. A.
Canning, Rt. Hon. S.
Calvert, N.
Clifton, Lord
Clive, E.
Colborne, N. R.
Davies, Colonel
Davenport, E. D.
Dawson, A.
Denison, W. J.
Denison, J. E.

Du Cane, P.
Dundas, Hon. T.
Dundas, Hon. Sir R.
Duncombe, Hon. W.
Dick, Q.
Dickinson, W.
Ebrington, Viscount
Ellis, Hon. G. A.
Encombe, Viscount
Euston, Lord
Fane, J.
Fazakerley, J. N.
Fortescue, Hon. G. M.
Fyler, T. B.
Gordon, R.
Grant, Rt. Hon. C.
Grant, R.
Heneage, G. F.
Hobhouse, J. C.
Honywood, P.
Howard, H.
Howick, Viscount
Hume, J.
Jephson, C. D. O.
Keck, L.
Kemp, T. R.
Killeen, Lord
Knatchbull, Sir E.
Labouchere, H.
Lamb, Hon. G.
Lambert, J. S.
Lawley, F.
Lester, B.
Littleton, E.
Lennard, T. B.
Lloyd, Sir E. P.
Lumley, J. S.
Maberly, J.
Maberly, Col.
Marshall W.
Martin, J.
Marryatt, J.
Marjoribanks, S.
Milton, Lord
Macdonald, Sir J.
Monck, J. B.
Morpeth, Lord
Nugent, Lord
Ord, W.
Parnell, Sir H.
Pendarves, E. W.
Philips, Sir G.
Philips, G.
Ponsonby, Hon. F.
Price, Sir R.
Protheroe, E.
Robarts, A. W.
Ramsden, J. C.
Ramsbottom, J.
Rice, T. S.
Rickford, W.
Ridley, Sir M. W.
Robinson, Sir G.
Robinson, G. R.
Russell, Lord J.
Rumbold, C. E.
Sefton, Lord
Scott, Hon. W. H.
Sibthorp, Colonel
Smith, W.
Smith, V.
Smith, R.
Smith, J.
Stanley, E.
Thomson, C. P.
Thompson, P. B.
Townshend, Lord C.
Tomes, J.
Vyvyan, Sir R.
Waithman, Alderman
Wood, Alderman
Wood, C.
Wilbraham, G.
Wrottesley, Sir J.
Warburton, H.
Whitmore, W. W.
Wells, J.
Whitbread, S.
Wetherell, Sir C.
Wigram, W.
Warrender, Sir G.

TELLER.

Graham, Sir G.

PAIRED OFF.

Calvert, C.
Tennyson, C.
Newport, Sir J.
Rowley, Sir W.
Osborne, Lord F.
Baring, A.

HOUSE OF LORDS.

Tuesday March 30.

MINUTES.] Returns Presented. Contracts of Timber for the use of his Majesty's Dock-yards made since January 1st, 1810. Correspondence between the Board of Trade, the Board of Control, and the Directors of the East India Company, with letters addressed by these Directors to the Government of India since July 26th, 1828, relative to the cultivation of Cotton and Tobacco in the territories of the India Company.

Petitions Presented. Praying for the opening of the Trade to China—By the Earl of KINNOUL, from the Corporation of Perth:—By the Earl of ROSEBERY, from Linlithgow:—By the Earl of ROSSLYN, from Stirling:—And by the Duke of DEVONSHIRE from the inhabitants of the Town of Derby, and from eighteen places in the County of Derby. Praying for an amelioration of the Criminal Code—By the Duke of DEVONSHIRE, from the Bankers and Merchants of Derby:—By Earl MORLEY, from Exeter:—By the Earl of RADNOR from Farringdon:—By the Marquis of LANSDOWN from the Protestant Dissenters of South Street Finsbury Square;—And by the Marquis of Bute from Banbury. Complaining of Distress and praying Relief—By the Earl of RADNOR from the inhabitants of Woodchurch:—And by Earl Stanhope from the Freeholders of Bedfordshire. And praying for the removal of disabilities from the Jews—By the Marquis of CLANRICARDE, from THOMAS FLANAGAN.

COMMERCIAL TREATIES.] The Earl of *Aberdeen* laid on the Table a Treaty of Commerce and Navigation which his Majesty had concluded with the Emperor of Austria and signed at London, December 21st.

Earl *Stanhope* objected to this and the other similar Treaties, which were founded on what was called the Reciprocity System. There was, in fact, no reciprocity, for all the advantage was on one side; that is, all was in favour of the foreign power, and against this country. Treaties for the encouragement of mutual commerce were highly advantageous; but these Treaties were for the encouragement only of the trade of other nations, and the ruin of our own trade. When petitions were pouring in from all parts and from all the different interests of the country, complaining of distress, it was surely a bad time to sacrifice the interests of the ship-owners and others of our own country, in order to promote the interests of the foreign ship-owner. It would be impossible for the British ship-owner to compete with the foreign, particularly with the ship-owners of the United States, on this system of reciprocity. It ought always to be kept in view that foreign vessels in general could be built and equipped at one half the expense that attended the building and equipping of British vessels. He profited by that opportunity of entering his protest against these ruinous measures.

The Earl of *Aberdeen* admitted that this was not a Commercial Treaty of the description which would be satisfactory to the noble Earl with his view of the subject; but he was very far from admitting that this country would derive no advantage from it. With respect to the distresses of the country, and the distress of the ship-owners particularly, these distresses did not arise in any degree from the alteration made in the Navigation Laws. Even if the increase of British shipping had been suspended of late years, still that would be no sure criterion that the alteration had done harm, although a plausible argument might have been drawn from that circumstance. But the fact was, that the British shipping had of late years gone on progressively increasing, and 400 more British vessels had passed the Sound last year than in any former year. All those Treaties, however, were in some measure matters of experiment, and therefore they were to be in force for a limited time; and in the present Treaty the duration was limited so that it would expire at the same time with the rest, and then Parliament would have the whole subject brought under its consideration. He found this Treaty advanced to a certain extent when he came into office, and the faith of the country was then in some degree pledged.

Viscount *Goderich* did not think it necessary to enter upon the discussion of the subject at length, on the present occasion, as his noble friend had intimated that the whole matter would be, at a future period, brought under the consideration of Parliament. But he had some time ago moved for certain Returns, from which it appeared that since this reciprocity system was adopted, the British shipping had gone on in a constant progressive course of increase, as compared with the shipping of all the rest of the world, except Norway. which owing to particular circumstances in its situation had increased its shipping faster than England. In particular it had been predicted that British shipping would be sacrificed to Prussian shipping; but the fact was, that the British shipping almost to the exclusion of Prussian shipping, monopolized the trade between the two countries. The Returns he had previously moved for, ended with the year 1828; but he had little doubt that the increase had gone on in the course of the last year. Some spoke of these Treaties as if they were merely speculative schemes resorted to by Ministers without any kind of necessity. But that was far from being the case; for, as we had levied very high duties on the shipping of foreign states, they retaliated by imposing very heavy duties on ours, and in that way we were sure to have the worst of it. The adoption of this reciprocal system was therefore a matter of necessity. If it had not been adopted, there could scarcely be a doubt but that the situation of this country would have been much worse than it actually was. By its means the British shipping had been enabled to compete with the shipping of all the world. At present the trade carried on by British shipping with the United States of America, exceeded all the trade carried on with those States by the shipping of all the rest of the world put together. The ultimate effect of the system, he believed, would be of great advantage to this country.

Lord *Ellenborough* said, that he had at first much the same view of the reciprocity Treaties as the noble Earl opposite. But he found from the Return that British shipping had gone on regularly increasing, and it was with great satisfaction that he felt himself bound to declare that he now thought he had been mistaken in his first impressions. He was not aware that the subject was to be discussed, or he should have come prepared with documents to justify his change of opinion.

Earl *Stanhope* said, that the Returns to which noble Lords alluded, included all steam-boats employed as passage vessels; and he was yet to learn that either the wealth or the naval power of the country was increased by the visits of the Londoners to Margate. His question was, whether we were carrying on a profitable or an unprofitable trade; and he contended that our trade was unprofitable. To say that it was not, because it was not altogether given up, was like saying that there was no agricultural distress because the farmers had not abandoned their farms. It was a plain matter of arithmetic that the English ship-owners could not compete with foreigners who built and navigated their vessels at half the expense of the English ship-owner. He wished to have an inquiry into this subject, for if the information which reached him were correct, he believed that our ship-owners were keeping their ships afloat at a great loss.

SUPPLY OF THE PRECIOUS METALS.] The Marquis of *Lansdown* rose, pursuant to his notice of yesterday, to move an Address to his Majesty, praying that he would instruct the Consuls to the different States of South-America to make inquiries into the state of the South American Gold and Silver Mines, and to transmit to this country all the information on the subject which they might be able to collect. His wish was to procure, as far as possible, accurate information concerning the supply of the precious metals. He did not anticipate any objection to his Motion, and it would not, therefore, be necessary for him to trouble their Lordships with any lengthened remarks on the subject at present. He wished, however, to observe, that nobody would be pledged, by agreeing to this Motion, as to any future course of proceeding. But in case any thing should happen which would render it necessary to depart from that sound metallic standard of currency which was now happily established, it would be most material for their Lordships to know the state of the South American Mines, which were the great sources of the supply of the precious metals. It would be difficult, perhaps, to procure a very accurate account of the degree of productiveness of the mines at present; but of one thing there could be no doubt whatever, and that was, that the changes and revolutions which had taken place among these States had a powerful effect in diminishing the produce of the mines. At the same time it might be that the effect which he had mentioned had been in some measure counteracted by the use of extra capital, and by scientific improvements in the mining process. The general result of the whole might be a great variation in the relative quantities of gold and silver produced, and it would be most material for their Lordships to know how matters stood in that respect. Another material consideration was, that gold had been now found in the Russian dominions, and was raised in considerable quantities, and therefore he would propose that our Consul at St. Petersburgh should be instructed to procure all possible information as to the productiveness of the Russian Mines, and to send home a report on that subject. He would also add to the Address a prayer that his Majesty would be pleased to order to be laid on their Lordships' Table a copy of the evidence given by certain distinguished merchants before the Privy Council in 1828, as to the standard of gold and silver. In order to throw further light on the subject, he would propose, that his Majesty might be requested to direct an account to be laid on the Table of the amount of freight paid to the captains of ships of war and Government packets for the carriage of the precious metals during each year, for some years past. These were all the matters that occurred to him at present, but he had no doubt that the effect of the Address would be, to bring some valuable information before their Lordships. The noble Marquis concluded by moving an Address to his Majesty, involving the several matters which he had mentioned in his speech.

The Earl of *Aberdeen* saw no objection to the Address proposed by the noble Marquis. The truth was, that the Consuls had already been acting on instructions of a somewhat similar kind; but perhaps it might be of advantage that their attention should be directed more specifically to the points mentioned by the noble Marquis.

Lord *Ellenborough* doubted whether the Motion of the noble Marquis would answer the purpose which he himself had in view. It appeared to him that it would be requisite not only to know what was the amount of produce of the American mines, but also to know whither it went. Within eighteen years no less than 45,000,000*l.* of the precious metals had been imported into the East Indies.

The Marquis of *Lansdown* said, that there was a constant flux and reflux to and from India, so that it was scarcely possible to trace where the produce went. There could be no doubt that the increase of civilization, population, and taste for elegant luxuries, had occasioned a much greater expenditure of the precious metals in latter times than formerly. The chief fact however was to ascertain the produce.

The Earl of *Malmesbury* had no objection to the Address, but he wished to make an observation on the subject of the great expense occasioned to the public by the salaries of these consuls. He had paid some attention to the subject, and he found that the expense amounted to 97,000*l.* Till the year 1825, a great portion of the allowances to the consuls was made in the shape of fees paid by the merchants who had occasion for their services. But an outcry rose against that plan, and in 1825 the fees were abolished, and the expedient adopted of a salary paid out of the public purse; and of the 97,000*l.*, 70,000*l.*, he believed, consisted of salaries substituted for the fees. Now the system of fees was certainly liable to great abuses, but still he thought that under proper regulations it ought to have been continued. It was very fitting that part at least of the allowances to the consuls ought to be paid by those who more immediately profited by their services, and it appeared hardly just to throw the whole expenses on the public. He hoped the matter would be taken into consideration by Government. There was another fact to which he wished to allude, the whole of our diplomatic intercourse with the new States of South America had been carried on by consuls, and so long as that was the case they must be paid, but at present we had ministers. In his opinion this was not judicious, and he should prefer seeing our diplomatic relations with those States again in the hands of consuls.

The Earl of *Aberdeen* said, that he had been paying some attention to the subject, and he believed that he should, at no distant period, be able to submit a proposal to the House about this matter. But it would never answer to make the whole of the allowances to the consuls consist of fees; for if at any long period of a year the commerce of their stations should be suspended, the consuls might be reduced to great distress if they had nothing to look to but the fees. But in 1825, the old system had been very much objected to, and the fees had been abolished. But whether the change had been advantageous might be doubted; and perhaps the best plan might be to make the allowances payable partly in salary and partly in fees, guarding as much as possible against abuses. He hoped to bring forward a plan to diminish the expense. As to these South American States, almost the whole of our relations with them was of a commercial nature; but in every case where a minister was sent out, the office of consul-general was made to cease.

The Earl of *Malmesbury* expressed his satisfaction at the explanation given by his noble friend.

Viscount *Goderich* said, that in 1825 great objection was made to the system of fees in the other House, and by merchants out of doors, and the consequence was the abolition of the fee system. Great caution ought, he considered, to be observed in the appointment of vice-consuls, and they certainly should not be merchants—this was more peculiarly necessary in a country wherein our relations were rather commercial than diplomatic.

The Earl of *Aberdeen* was unwilling then to enter into any further particulars, the more especially as the matter arose incidentally.

Lord *Holland* asked if the consuls sent to the north of Africa were appointed by the Colonial or the Foreign Office.

The Earl of *Aberdeen* said, the consuls to Egypt were appointed by the Foreign Office—those for the Barbary States by the Colonial Office.

Lord *Holland* saw no reason why the whole of these appointments should not vest in the Foreign Office.

The Earl of *Malmesbury* said, that he did not wish the consuls to be wholly dependent on fees. He would give them a salary, more particularly as they were liable to be called on to perform services like that to which the present Motion related.

Motion agreed to.

HOUSE OF COMMONS.

Tuesday, March 30.

Minutes.] Mr. Frankland Lewis brought in a Bill to consolidate the Laws relating to the pay of the Royal Navy. Read a first time.

The Fever Hospitals (Ireland) Bill was read a second time on the Motion of Lord Francis Leveson Gower.

Returns laid on the Table. Accounts of all sums received by the Corporation of the Trinity House from the Thames Pilots, with their names:—Account of the Fee Fund of the Court of Session (Scotland). The number of persons charged with Criminal Offences, pursuant to an Address of March 29th.

Returns ordered. On the Motion of Mr. F. Lewis, an account of the Imports and Exports of Wool, since the passing of the Act allowing such Exports:—of the number of packs of Playing Cards charged with duty in 1827 and 1829:—On the Motion of Mr. Holdsworth, of the quantity of Coals carried Coast-wise into the several Counties of England and Wales distinguishing the quantity imported into each County; and the amount of Duty for 1829; also the amount of Drawbacks, if any paid for Coals consumed in the Mines:—On the Motion of Mr. Manning, an Account of the Nett Amount of the Duties of Customs on Merchandise of all kinds imported since January 5th, 1820, distinguishing the Amount of each year; of the gross Amount of Duties of Customs charged on Sugar imported from the Mauritius and the West Indies for the same period, with the Amount of Drawback, also the Nett Amount of the same Duties for the same period:—On the Motion of Sir Charles Wetherell, of the Number of Causes set down on the Lord Chancellor's Paper and remaining unheard, specifying the time of setting them down; also the same on the Vice-Chancellor's Paper, and on the Master of the Rolls' Paper.

Petitions Presented. Against the Renewal of the East India Company's Charter:—By Mr. Dounie, from Guild of Merchants, Stirling:—By Mr. Littleton, from Lane End and Lane Delph:—And by Mr. Adam Stay from Linlithgow:—By Mr. Archibald Campbell, from the Inhabitants of the Gorbals. For the abolition of the Practice of Women burning themselves in Hindostan—By General Gascoyne, from various Congregations of Protestant Dissenters in Liverpool. For an Amelioration of the Criminal Code—By Mr. Littleton, from West Bromwich:—By Mr. Fyler, from Coventry:—by Mr. Legge, from Banbury,:—By Mr. Mundy, from the Merchants and Bankers of the town of Derby. For a Duty on the Importation of Foreign Lead—by Mr. William Duncombe, from the Proprietors of Lead Mines in Nedderdale. For the Repeal of the Duty on Tobacco, by Lord F. Osborne, from Joseph Cox. By Mr. Littleton, from Tipton, against the Truck System. Against throwing open the Trade in Beer—By Mr. Littleton, from the Licensed Victuallers of the Staffordshire Potteries:—By Sir Charles Hastings, from the Licensed Victuallers of Leicester:—By Mr. Fyler, from the Licensed Victuallers of Coventry. This Petition was signed by 200 Publicans, only seven of whom were under the control of Brewers:—By Mr. MALCOLM, from the Publicans' of Boston; and by Mr. BENETT from the Licensed Victuallers of Trowbridge.

DISTRESS AND CRIME.] Mr. *Hume*, in presenting a Petition from the inhabitants of North Nibley, complaining of great Distress, and praying relief; stating that of 1600 persons, 800 were receiving relief, observed, that it was impossible to doubt the existence of great and overwhelming distress when such facts were continually brought before the House. The petitioners justly observed, that whether their distress was caused by legislative measures or not, there could be no doubt that it was greatly aggravated by taxation. He believed that nothing but a reduction of taxation, and the abolition of the Corn-laws, and all other monopolies would give the people relief. The evil consequences of those laws were every day becoming more apparent, and they could not possibly be preserved. In looking at the papers on the Table, it was impossible to avoid concluding, that the great increase of crime they unfortunately proved was chiefly to be attributed to taxation. In each of the five years ending with 1809, the number of persons committed for trial was, on an average, 4,692; between 1820 and 1824, that number was increased to 13,005; in 1825, the number was 14,437: it had progressively increased every subsequent year, and in 1829 was no less than 18,675, being upwards of 6,000 more in 1829 than in 1823, or an increase of 50 per cent in six years. He found, on looking over these accounts, that not more than one individual sentenced to death out of three was executed, and that thirty out of 100 of those committed were acquitted. In Scotland he believed the persons acquitted did not bear a larger proportion to those committed than one in ten. That might be the consequence of the different methods of administering the law in the two countries: but there could be no doubt, that the great increase of distress was the cause of the vast increase in petty larcenies which these returns shewed.

Petition read, and laid on the Table.

SUGAR DUTIES.] Mr. *C. Grant* wished, as he saw his right hon. friend, the Chancellor of the Exchequer, in his place, to call his attention to the subject of the Sugar Duties. He had already stated, that it was his intention to move for a reduction of those duties, and he wished to ask his right hon. friend at what period he meant to introduce his annual bill on the Sugar Duties, as it would be convenient if he were to make his proposition when that bill was discussed. He had no other objection to deferring his own motion till so late a period but the fear that it would be then too late to discuss it. He hoped, however, that the Chancellor of the Exchequer would bring forward his bill earlier than usual, in order that the subject might be fully and fairly discussed.

The *Chancellor of the Exchequer* said, he was ready to do all in his power to bring the subject of the Sugar Duties before the House as early after Easter as possible. The state of the public business might be such as to prevent him bringing it on very early; but he would, as soon after Easter as possible, inform his right hon. friend when he should bring in the bill.

DUTIES ON COALS.] Sir *John Newport* presented a Petition from certain Inhabitants of Dublin, complaining of the duty on Coals as an infringement on the Act of Union, and praying that it might be repealed. The right hon. Baronet supported the prayer of the Petition, and confirmed the petitioners' statement that the tax was an infringement of the Act of Union. When Mr. Orde's proposition was submitted to the Irish Parliament in 1785, some duty of this kind was contemplated, but at the time of the Union it was distinctly held out to Ireland that she should receive as a boon and as an encouragement to her manufactures, coals duty free; while England was still to suffer under the tax now laid on coals carried coast-wise. That promise might be found in one of Lord Castlereagh's published speeches. He lamented, however, to say that the infant manufactures of Ireland had never been relieved from this burthen. After a period of thirty years, for so long a time had elapsed since the Union, he found this duty preserved, and as the Duke of Wellington said, must be preserved: he was at a loss, however, to know on what grounds, since it would be preserved by violating the pledged faith of the Government. If the Legislature were not disposed to cherish the Irish manufacturer by its favour, it ought at least not to impede their progress by injustice.

Petitition read and to be printed.

CROWN LANDS.] Mr. *D. W. Harvey*, in rising to redeem the pledge he had given at the close of the last Session, to bring under the notice of the House the present state and management of the Crown Lands, expressed his regret that it had not fallen into the hands of some more distinguished Member, who might relieve the dryness of the subject by adorning it with the graces of eloquence. His regret was somewhat lessened by having observed that the greatest talents had of late led men into the greatest inconsistencies, and that, at present, ordinary minds, acting under honest impressions, might be of the most substantial advantage to the country. He only claimed to be one of this class; he pretended to none of the advantages of learning, and could claim none of the support which faction or party sometimes lent to individuals. He presented himself to the House as a representative of the people, to bring under its notice a source of the national revenue which had been greatly perverted, and required to be judiciously applied to be made available to the public service. There was scarcely a part of either our domestic or foreign policy which had been less inquired into; for, with the exception of one examination under the authority of a committee, in 1786—with the exception of that solitary examination, the subject had not been inquired into by the House since 1705, shortly after the accession of Queen Anne. It could not be said, therefore, that this was one of those subjects which had grown tedious by repetition. He did not regret that circumstances had deferred his Motion, as it had given time to display a glimmering of anxiety on the part of his Majesty's Ministers, if not to promote reform themselves, at least not to check those who were reformers. He was glad to see that they had recognised public opinion, and he neither would damp the hopes nor falsify the pretensions which had been raised by their late reductions. The right hon. the Member for Liverpool had stated the other night, much to his satisfaction, that one source to which we might look for the improvement of our revenue was the Crown-lands. He wished at the outset to state, that the object of his Motion was to move for a committee to inquire into the present state and management of the Crown-lands, and he wished that every Member were obliged, before he began a speech, to state what he meant to propose, or what he meant to contravene. That would save a great deal of time and facilitate business. So little was known of the Crown-lands, that if the Members of that House were to conjecture what was the value of those lands, some would say half a million a year, while others would rate them at 50,000*l.* If they were to suppose them sold, some of them would say that they would fetch 500,000*l.*, and others might estimate the sum at 20,000,000*l.* Was that a condition in which property should be allowed to remain, those who had to dispose of it knowing nothing of its value. The reason of this ignorance he believed was, that the Crown-lands were held sacred, and were interdicted from investigation; but in fact, there was no branch of the public revenue which was more entirely available to the service of the country, and none which had been bought at a more enormous price than what was called the Crown-lands. He meant to state the origin of this property, the fluctuations it had undergone from the commencement, and he should conclude by pointing out the use it might be of to the country, not from what it did, but from what it might be made to produce. He would show how it had been managed, or rather mismanaged, disposed of for slight considerations or rather no consideration at all, let for trifling rents and relet at enormous profits, in short he would shew that it had been managed so as no private property was ever managed in the world. There never was a large public property so entirely diverted from public uses. The House were called on as trustees of the public to interfere, and see that the property was made available to the public. In the early periods of European history, every monarch of Europe had no other revenue, whether it were intended to keep up the magnificence of his court, or maintain the tranquillity of his dominions, or protect them from foreign invasion, than that which was derived exclusively from the soil. When the illegitimate Norman overthrew the legitimate Harold, the revenues from the land which came into his possession amounted to 400,000*l.* a-year. This revenue was the exclusive source of all the means possessed by him and his successors to protect their throne and the country. He begged here to remind the landed gentlemen, who now complained of their burthens, that formerly all the burthens of the State were borne by the land, and the Conqueror not only exacted this sum—he could also call on those who held of him *in capite*, and compel them to furnish him with 60,000 men at arms. It was in the subsequent reigns that the fashion was introduced of purchasing of a patriotic nobility concessions and forbearance or assistance and support by large grants of the Crown Lands. During the twelfth, thirteenth, and fourteenth centuries, the public revenues were so dwindled away, that several Acts of Parliament, yet on the Table, were passed to resume the Crown-lands. In the reign of Henry 4th a statute was passed restoring to him all the land which had been held by his Royal predecessors, Edward 2nd, and Richard 2nd. In Henry 5th's time the 400,000*l.* a-year possessed by the Conqueror had dwindled down to 57,000*l.* In Henry 6th's time the revenue of the Crown-lands was only 5,551*l.* In Henry 7th's time, several acts of resumption were passed, but it was reserved for Henry 8th, that great Defender of the Faith, and great Pluralist in churches and wives, to take into his own hands a number of Monasteries and Abbeys, and other Church-lands, so that he was in possession of a revenue that yielded 273,000*l.* a-year. According to Sir John Sinclair, this was equal to six millions of our present money. But Henry was as generous as he was rapacious, and gave away with one hand what he had seized with the other. Whether any hon. Members who heard him were the heirs of those who had received this property and would defend their ancestors from the charge of spoliating the Church property, he could not aver, but certainly it was a fact that Henry 8th seized on and appropriated to himself and his minions the two thousand chantries, chapels, abbeys, &c. and the lands belonging to them. He repeated; he did not wish to embarrass this question, or to exaggerate its evils, by extraneous ornament; he stated plain facts, from which he hoped to be able to draw obvious conclusions. In the reign of Mary, the Crown-lands, which in William the Conqueror's time amounted to 400,000*l.* a-year, and which had been so rapaciously augmented by Henry 8th, were only of the annual value of 86,000*l.*; but by the judicious management adopted in the reign of her successor, they had reached the amount of 132,000*l.* a-year in the 44th year of her reign. And here it might be well to observe, that it appeared the whole sum placed at the disposal of that pre-eminent Princess in that year for the maintenance of her dignity at home, and for the support of her power against all aggression from abroad, amounted to a sum very little above half a million of money, (502,231*l.*) of which this 132,000*l.* of Crown-lands' revenue formed a part. The return from which he quoted this statement was to be found in the Augmentation Office. It was reserved, however, for the Napoleon of the seventeenth century to consummate the destruction of the landed property of the Crown in England. Cromwell, at the earliest opportunity, instituted an inquiry by a commission which travelled through the whole country, into the nature and extent of the royal revenues derived from land, with the intention of making them really productive; but assailed by jealousies at home, and by enemies abroad, he was unable to effect the good he contemplated, and the result was, that he disposed of 666 Bailiwicks and 770 manors, for which he received the sum of 2,200,000*l.* and among them the boroughs of Launceston, Fowey, Liskeard, Saltash, and some of the most important properties in Cornwall. There were, at that time, fifty-three important properties belonging to the Crown in Cornwall alone, and of these only three now remained. He could like much to know what the republicans of that time gave for the property, and what the loyalists of the present day would sell it for. At the return of Charles 2nd, several attempts were made, to compel the restoration of these lands, but none were forfeited except those belonging to persons who fled, and the remainder were secured to their possessors by the payment of fines proportioned to their extent. The result was, however, that the whole of the property belonging to the Crown chich survived the shock of the civil wars, amounted to the sum of 217,900*l.* a-year. Neither Charles nor James, however, could resist the demands of their courtiers, and much of what remained was leased out for long terms at nominal rents. In the time of William, the condition of the Crown-lands was not improved, a great portion of them being ceded by compulsion to his patriotic friends in Parliament.

On the accession of Queen Anne a Civil List was first granted to the Crown in lieu of its estates. The preamble to the Act which granted that Civil List of 600,000*l.* is peculiarly remarkable, for it expressly states that "it is for the purpose of defraying a part of the expenses of the Crown, and lessening the burthens of the people by means of a preservation and improvement of the Crown-lands;" and every subsequent preamble on the same subject contained the same words. At that time the Crown-lands were subjected to a new system of management; they were then first converted to the public use, and it was provided that no lands should be let for a longer time than thirty-one years, and no house for a longer time than fifty years: that the reserved rent should be always one-third of the yearly value, and that the other two-thirds should be paid by fine. Although these regulations were made, yet no steps seem to have been taken to carry them into effect, nor did it appear that the two-thirds ever found their way into the Treasury, or were applied to any other purpose than that which was already well known—the consolidation of the power of the Crown. The greater part, indeed, of the Crown property, was let at nominal sums, amounting to a mark, or six shillings and eightpence, or sometimes one pound. So great had the abuses become, that they attracted the attention of the House of Commons; and three Members — Shippen, Strangeways, and Lockhart—brought in a bill to remedy the misapplication of the produce of the Crown-lands, and to empower the Crown to resume the possession of those which had been granted improperly. This bill was read a third time on the 29th of March, 1711, but it found its grave in that place where so many other Acts of utility have been entombed. From that time they heard no more of the Crown-lands, until the year 1760; but to show the nature of the management of the lands during that period, he would call the attention of the House to the fact, that property which, if fairly let, should have brought about one million per annum, produced in 1760 just 482*l.* 16*s.* 7¾*d* of yearly rent. At the accession of his late Majesty no alteration was made in the administration of this property, except that by a new regulation it was then provided that every lease should reserve a rent of one-eighth of rent, and that seven-eighths should be paid in fine. But a new method was found of evading this; the managers of the Crown-lands first let the properties for nothing, and then they estimated them at that rent as worth nothing, and then sold them for nothing. That is, they let a valuable property for ninety-nine years at a nominal rent, and then sold it for 200*l.* This was done to gratify some of the great families of this country, and enable them to retain their predominancy. He would give the House an instance of this from the course pursued with respect to one or two families, and it might, from these, be able to form a judgment of the general course pursued with respect to the property of the Crown. From a Return, to which the noble Lord opposite (Lord Lowther) had access, he found that a parcel of Crown-land, lying between Park-lane and Swallow-street, in Piccadilly, was let to the family of the Pulteneys for 100 years, at a rent of 12*l.* 16*s.* 10*d.*, the yearly value being 2,047*l.* This property was then sold for 500*l.* He believed that the lease to which he alluded was on the point of expiring. The steps taken with respect to it would become a fit subject of consideration hereafter. This was a specimen of the course pursued both by Whigs and Tories when in power. It was difficult to say which of them pillaged the country most, although, if he looked to the proceedings of 1688, he thought the balance was rather against the Whigs. Again, he found that the estate of Bowood, near Chippenham, including the Borough of Calne, was first let for 30*l.* a year, and then sold for 468*l.* 10*s.* Furness, in Lancashire, was in the same manner, in the year 1770, let to Sir Thomas Lowther for a trifle, and afterwards sold in the same manner. The manor of Spalding in Lincolnshire, worth 4,000*l.* a year, was in the same manner given to the trustees of the Earl of Dalkeith, from whom it passed to the Duke of Buccleugh, at a rent of 5*l.* He derived this information from the report of the Commissioners appointed in the year 1786, who distinctly declared that these properties had been disposed of without any estimate of their value. He begged, in saying this, to observe, that he did not allude to those transactions, which occurred many years before the commissioners of 1786 made their report, for the purpose of disturbing the possession of the holders at the present moment: he mentioned them merely to show that they afforded good reason for not allowing the Crown-lands to remain under the management of the Government when it so misused its power, and took no measures to remedy those abuses which were pointed out in the report of the commissioners. The hon. Member then referred to the disposal of the Manor of Seaton, in the county of York, together with the valuable Alum-works, to the Earl of Mulgrave. This sale took place in 1774, on the 16th of November; the property having been previously let at a rent of 269*l.*, and it was sold for 27,000*l.* In the same manner the extremely valuable Alum-works were sold for 20,000*l.*, 14,000*l.* being allowed for a lease which had been granted in the April preceding. Now, what became of the money thus obtained for this property of the Crown? The commissioners who sat afterwards, in the year 1786, sent a letter to Mr. Peter Burrell, requiring to know what had been done with the money; and he replied that, to the best of his belief, it had been paid by his father to Sir Grey Cooper, the Secretary of the Treasury. One thing was certain, that the money was never applied for the benefit of the public. He thought it necessary here to mention a case which proved that those who managed the Crown-lands were not so free from all responsibility as they supposed. In the rebellion of 1750 the estates of the Earl of Derwentwater were forfeited to the Crown. They were of the annual value of 9,000*l.* and some influential persons, who at that time, as now, were in the habit of keeping about the office of Woods and Forests, being anxious to become possessed of them, the commissioners managed to get the whole property sold to them for 1,000*l.* The matter was, however, too gross to escape; and an inquiry being instituted in the House of Commons, two of the Members were expelled the House, and the others who had shared in the guilt were reprimanded. He mentioned this merely because he thought it important the House should keep it in mind that such things were done formerly, and that such were the consequences. He had stated, that one-eighth was to be reserved as rent, and seven-eighths to be taken as fine. The rent agreed to be paid in consequence of that regulation proved to be 13,662*l.*, and supposing that seven-eighths were also paid as fine, the money received by the Crown should have been 95,634*l.* But the whole sum actually received was only 7,078*l.* In 1770 the Manor of Newark was let to Henry, Duke of Newcastle, at a rent of 482*l.* the fine being 3,374*l.*; but the fine actually paid was only 200*l.*; and the commissioners, when they alluded to the subject, emphatically declared the abuse to be enormous. He avoided any mention of Wales in these explanations; but lest it should be said that, bad as was the management in England, there was something redeeming in the management of Crown property in the Principality, he would just state, that from the year 1760 to 1786, the rent received for Crown-lands in Wales was 125,125*l.* and 124,466*l.* were paid for management, leaving 659*l.* to be placed in the coffers of the State. The rents and fines received in England, during the same period of twenty-six years, that is from the accession of George 3rd to 1786 when the inquiry was instituted, amounted to 11,575*l.* per year. The sum which the Estimate showed they ought to have received was 78,049*l.* per year, so that they had lost by mismanagement a sum of 66,474*l.* yearly, or during twenty-six years a total of 1,728,324*l.* which must have gone somewhere, but which never found its way into the public treasury. He would then proceed to advert to another part of the Crown-lands that were more particularly under the superintendence and management of the Commissioners of the Woods and Forests. This was an important description of property, consisting of several thousands of acres, and extending over a large portion of the country. He was not desirous to bring any charge against the present Commissioners of the Woods and Forests, or against any of their predecessors; he only wished to show to the House the manner in which the Crown property had been mismanaged. A large portion of these forests was devoted to the growing of timber for the Navy, and that land, he conceived, naturally and properly ought to be placed under the superintendence of the Navy Board. If the gentlemen of the Navy Board found their hands already too full of business, they might be supplied with two additional assistants, and that would afford his Majesty's Ministers an opportunity of assuaging the wounded feelings of the two gentlemen who had been so unceremoniously displaced the other night. He should now refer the House to the report of the commissioners appointed in 1786 for inquiring into the state of the Woods and Forests. Those commissioners instituted a most minute inquiry into all the Woods and Forests, and made most valuable reports on the subject; but so far as regarded the Farms and the Manors of the Crown, they instituted no inquiry whatever, because they conceived that the terms of their appointment restricted their inquiry to the Woods and Forests alone. There were eighteen reports of these commissioners, and to do them justice they appeared to have discharged their duty fearlessly and honestly, and they expressed their sentiments boldly in reference to abuses, with regard to which their total silence would not have been surprising. The commissioners stated, as a proof of the bad management of the Woods and Forests, that from the year 1761 till 1786, the entire produce of them did not suffice to pay for their management, but that the balance was defrayed out of the general funds of the land revenue of the Crown, and that over and above what had accrued from the sale of timber, there had been expended upon the superintendence and management of the Woods and Forests during that period the sum of 144,882*l.* They said, that all remonstrances had been unavailing, though they had exerted themselves to procure a better method of management. As some Members might like to know the names of these intrepid and sturdy commissioners, he would add that they were Mr. Middleton, Mr. Houldsworth, and Mr. Call, and subsequently Mr. Fordyce. After stating that remonstrances had not been attended to, they went on to state that this property was let out in a manner most disadvantageous for the interests of the Crown, and that the greatest neglect prevailed as to the mode in which it was let. They gave an instance where a distinguished individual held property under the Crown, by the right of pasturage for one horse over a certain tract of ground, and where it appeared that land to the amount of 460 acres belonging to the Crown was appropriated to feed this single animal. They gave an instance of two forests in the county of Southampton —Alice Holt Forest and Woolmer Forest —where the costs of the management, and the making-up of the timber for sale, far exceeded the receipts; for while the receipts in one year amounted to 15,410*l.*, the charge for the management, &c. of this estate was 24,084*l.*, being an expenditure of nearly 9,000*l.* over and above the value of the entire produce of this property. They instanced another forest, the Forest of Whittlewood, amounting in extent to 5,424 acres, the average profits of which to the Crown amounted to 85*l.*, while the expenditure upon its management was 145*l.* a-year. As another instance of the manner in which the Crown Estates had been managed, the Commissioners spoke in their ninth report of Bennefield-lawn which they say belonged to the Crown, but had been appropriated to other persons. The property contained 394 acres of good land. They also advert to Rockingham Forest, and of a property adjoining to it amounting to about 400 acres of fine land, which had passed from the Crown to Lord Westmorland, which was held at less than one farthing per acre, and with regard to which it was impossible to obtain any account from that noble Lord. This forest and the adjoining lands the commissioners stated had been usurped by these parties in the early part of Queen Anne's reign, and the other parties having ceded their claims to Lord Westmorland, he had obtained a transfer of it from the Crown for a very trifling consideration, and refused to answer the questions of the commissioners. They likewise spoke of Sherwood Forest, which comprised upwards of 95,000 acres. The commissioners stated that, owing to mismanagement, and to want of attention to the interests of the Crown, from the year 1760 to the year 1786, the expense for the management of this immense amount of land exceeded the receipts from it by the sum of 9,037*l.* They stated that they had inspected the accounts with respect to Brecon Forest, and the number of trees that had been blown down and sold there; and that it appeared from the accounts of the sale, that the trees sold, during a period of thirty years, though valued at 2,470*l.* produced only 850*l.*, the rest having been expended as fees and charges of collection, but upon turning to the books in which the entry of the sale was made, they found that though the trees sold for 850*l.* that was written off "even," for the expenses of the sale equalled that which the sale had produced. They mentioned an instance, too, of a piece of natural generosity of the Crown towards the Duke of Newcastle, which appeared to be also extended, in other instances, to his noble descendant. It appeared, that in a Wood which the Duke of Newcastle held from the Crown, the timber sold amounted to 15,000*l.*, which was given to him, while 118*l.* was charged to the Government for paling to inclose the wood. These commissioners, as he had stated, were appointed in 1786, and their primary object appeared to be to inquire into the state of the Woods and Forests, in order to obtain a knowledge of the then condition, and available value, of all the Crown estates, with a view to ascertain the amount of the actual rental arising from the Crown property throughout the country. To obtain this information they sent a circular letter to all the receivers of Crown rents in the kingdom, and in answer to this circular they obtained various important returns. He held them in his hand, and he would state the result of them. It appeared from these Returns made by the receivers connected with the various estates in the kingdom, to the commissioners, that they valued the revenue available to the Crown from all those estates, exclusive of Mines and some other properties of an uncertain value, in 1786, at 102,626*l.*: that was the value which their returns set upon this description of Crown property at that period, and which property was to be found in forty out of the fifty-two English counties. That was the return of the receivers as to the value of the Crown estates in 1786, but the commissioners being anxious to ascertain whether that was the real value of them, determined, though they did not consider themselves obliged by the terms of their appointment, which applied more especially to the Woods and Forests, o make a personal inquiry into, and inspection of these estates, to ascertain whether the returns stated the real value of them. They accordingly had an actual survey, made indiscriminately of ten important estates. The properties which they had thus surveyed for the purpose of ascertaining their real actual value were situate in the counties of Lancaster, Essex, Lincoln, Worcester, Nottingham, and Wilts. The value of these estates was estimated by the receivers of the rents in 1786 in their returns at 3,242*l.*; but, upon the actual survey being made by order of the commissioners, their value was estimated at 8,394*l.* Now, looking at this fact, he conceived that they had a right to assume, since in the case of ten estates, indiscriminately chosen, the real value of them was found to be nearly three times as great as the estimate of the receivers, that the whole had been undervalued by them in an equal ratio. If, therefore, a similar survey had been made of all the Crown estates, estimated by the receivers at only 102,626*l.*, it would have been found, most probably, that their real value amounted to treble that sum, or to 300,000*l.* His own opinion was, looking at the facts stated by the commissioners, that such was the value of these Crown estates in 1786. In concluding their report these commissioners advert to a proposition which was at that period very generally discussed,—namely, the expediency of selling this Crown property; and after balancing the arguments upon that point, they stated it as their opinion that it would be imprudent to do so then; and their reason for coming to that conclusion was, that the principal estates of the Crown were let at leases of long, unexpired terms, and at a low rent, and it was not likely, therefore, upon a sale of them, that they would, under such circumstances, fetch their real value. They did not hesitate to recommend a sale of the Crown estates when they could be sold to advantage; and they strengthened their opinion by quoting a passage from Adam Smith to that effect. The long leases then spoken of by the commissioners were now about to expire, which made their objection to the sale of the Crown-lands no longer valid; and considering the state of the Crown property, as regarded the length of time the leases had to run, he conceived that no fitter period than the present could be selected for inquiring into the expediency of selling it. It was estimated, as had been seen, by the receivers in 1786, at 102,626*l.* Between the year 1790 and 1802, 11,235*l.* worth of that property fell back to the Crown by the expiration of the leases. Between 1802 and 1816, other leases of Crown property, to the amount of 54,952*l.* expired, thus leaving the proportion of this property, the leases of which had not expired in 1816, at 36,439*l.* Between 1816 and 1830, several other leases had expired, and there now only remained 14,400*l.* in amount of that property with leases to run till 1836. If no leases then had been improperly granted since the recommendation of the commissioners in 1786, all the leases would expire in 1836, and the Crown property would be then perfectly unencumbered, with the exception of an amount of 26*l.* 13*s.* 4*d.*, the lease of which had to run till 2770,—a period that he did not apprehend they would be likely to wait for—

before they determined as to the expediency of the sale of all the Crown property. He should now advert to the manner in which this Crown property had been disposed of: in doing so, he did not wish to cast any imputations upon the noble Lord opposite, on account of these transactions, and he should refrain at present from praising the conduct of the noble Lord, because he did not wish to make any invidious distinction between him and his predecessors. He should first call the attention of the House to the manner in which several houses in Piccadilly had been let, because every hon. Member was aware of the value of property in that quarter. Now, by referring to the returns which were triennially made to the House, it would be found that several houses in Piccadilly had been let for 30*l.*, 50*l.*, and 70*l.* a year, the value of which any individual acquainted with them would estimate at five or six times that amount. He should also call the attention of the House to the very inadequate and delusive description given in those triennial returns of this species of property. He would take any one of the items, and ask any hon. Member whether it gave any thing like an idea of the property to which it referred. Take, for instance, the following:—"The manor of Epsworth, with Westwood and Haxey, and divers lands and tenements in Epworth, Belton, Ouston, and Haxey." It was impossible for any one to form an idea of this property from that description, or to say whether it was worth 5*l.* or 50*l.*, 500*l.* or 5,000*l.* Such a practice placed in the hands of the Government an extraordinary and unconstitutional power; for he would assert, that those lands under the superintendence of the Woods and Forests, if applied to the purpose, were quite sufficient to corrupt both Houses of Parliament. It appeared from a return given in the report of 1786, that property of this description, to the amount of 997*l.* a year, called the manor of Waplow, had been in 1784 settled for thirty years upon Sir Sampson Gideon as a means of political corruption. Similar grants might have been made upon other hon. Members on different occasions. Such, in fact, appeared to have been the case with the manor of Newark. This, therefore, was a species of power which ought not to be lodged any where; and without desiring to cast any imputation upon the noble Lord or his predecessors, he (Mr. Harvey) would say, that this property, in its present shape, presented a source of corruption sufficient to contaminate any Parliament and pervert its Members to any purpose. He wished to call the attention of the House to the manner in which the property of the Crown at Newark had been disposed of. The noble Lord upon a former occasion had said that his (Mr. Harvey's) estimate of the value of that property was too high. Reference had been made to the low amount of the rents at which the Duke of Newcastle re-let that property; but that, it was obvious, might be done by the noble Duke for political purposes, and there was no guide to enable them to ascertain by the returns the real value of this property. When advertised it was described simply as the manor of Newark, and the messuages thereunto belonging. Now, he would ask the noble Lord, if he were called upon to bid for such a lot so described at the Auction Mart, if he would know for what he was bidding. Such a description afforded no clue whatever to the value of the property. What was the way, however, in which it had been dealt with? In 1730 a lease was granted of this property for thirty-one years, at the annual rent of 144*l.* to the Prime Minister of that day. Since that time Newark had of course increased considerably in wealth and importance. It was in the centre of the kingdom, with great roads running through it. There were 900 acres of land, with 50 houses upon them, and that property was let in 1730 for 144*l.* per annum. The lease had subsequently been renewed to the descendant of that noble Duke for 2,000*l.* per annum. At present he was informed that the value of that property, under proper management, would amount to 200,000*l.* He had a letter from a professional gentleman of eminence in that town, in which he stated that that property, if offered freely for sale, would bring 200,000*l.*, and that the inhabitants would willingly bid for it to that amount. The present rental of the Duke of Newcastle was 4,000*l.* a year out of that property, but the writer stated, that if the property were let without reference to political purposes, it would bring 7,000*l.* a year. He should now advert to the conduct of the Commissioners of Woods and Forests in reference to the sale of the manor of Rosedale, in the county of York. Perhaps no part of their conduct was less deserving of approbation than that connected with this manor. It was situated in the mountainous recesses of Yorkshire. The lease of the premises expired in 1816, and from that period they had been let to tenants at will. The consequence was, that the roads and parks were in a most dilapidated condition, and that the whole property was going to ruin. It was at length determined at the expiration of fourteen years to set this property up to sale, and it was announced for sale on the 30th of September, in one lot. But, from the account given of it, no human being could tell whether these 5,000 acres were woods, or grounds under pasture, or corn. Having drawn the attention of the Commissioners of Woods and Forests to that circumstance, the sale was postponed; but when did it come on? on the 31st of December, when the mountains in Yorkshire were covered with snow, and when no one could have access to those premises. Being commissioned by a friend to purchase this estate, he sent an individual down to York to bid for it. The mode of sale was most extraordinary:—The Government reserved to themselves a concealed bid, and as the bidding proceeded, they accommodated their bid in reference to the highest, instead of having it sealed up as was the usual practice. The person whom he employed was the last to bid, and he bid 37,000*l*. What was the reserved bid of the Government? It was 70,000*l*. Now this was in his opinion a very prejudicial course for the public service. For when people found that such a sum as 70,000*l*. was the reserve bid of the Government, and that the actual biddings did not exceed more than 10*s*. in the pound on that sum, it would prevent them from coming forward with other offers for such property, under the idea that as Government could not dispose of it at its own price, it must ultimately, if disposed to sell, yield to theirs, or grant it to favourites. He thought that this property ought to have been sold, not as an entirety, but in lots; and he had called upon the noble Lord at the head of the department to say, that if it were sold in lots, the tenants were inclined to become purchasers. He would read to the House a letter which he had received from forty-one or forty-two of the tenants, informing him of their desire to purchase their respective holdings. That desire was very natural on their parts; for it somehow or other happened, that the tenants of these farms at will, were generally the owners of the tithes upon their holdings. [The learned Member read the letter in question, in which the tenants informed him that they should feel greatly obliged to him if he could obtain them their respective hirings either by sale or on lease.] Property like that of the Crown in Rosedale was never so available when put up to sale as a whole, as when put up in various parcels or lots. The next property to which he wished to call the attention of the House was that which was known by the name of Sunk Island. Sunk Island was at the mouth of the river Humber, and a great part of it had been rescued from the sea in the course of the last forty or fifty years. In the year 1786 it was vaguely described as a parcel of sandy land in the river Humber, and, strange to say, it was thus described in a modern return, for which he had himself moved last year, though it now produced a rental of 10,000*l*. a year. He had moved, in the course of last year, for a return of all the Crown property held under leases which would expire within the next seven years; and Sunk Island happened to be included within that property. The modern description of it was as follows:—"Sunk Island.—To whom granted? To the Rev. John Lonsdale and other gentlemen, a parcel of sandy land lying in the river Humber; a great part of it is to be embanked, and a chapel is to be built thereon;" and then it gives the items of the rent to be paid, and the names of the parties.

An Hon. Member.—When was the lease granted?

Mr. *D. W. Harvey*.—The lease began in 1802, when the value of land was much greater than at present. This land was first let in 1771, on a thirty years' lease, at a rent of 60*l*. a year, and with a fine of 1,550*l*. Its estimated value was then 960*l*. a year; and thus when the fine ought to have been 8,400*l*., the Crown had been content with receiving 1,550*l*. That lease expired in the year 1802. Sunk Island had then been considerably augmented in extent by, what was called, the warp of the sea. It was in this augmented state let to the Rev. John Lonsdale and his copartners for thirty-one years; and that lease would expire in 1834. It was let during the first year for a rent of 700*l*.; during the second for a rent of 2,000*l*., and during all the rest of the time for a rent of 3,000*l*.; and the lessees were to expend all the money which might be requisite for the embankment of the soil, and for the erection of houses upon it. What then was done by the lessees? Individuals residing in the neighbourhood informed him that the lessees, after the first year of their lease had expired, expended 10,000*l.* upon the island, and let it for the next year at no less a sum than 10,000*l.* At the last audit he knew that the Rev. John Lonsdale and his co-lessees had received the sum of 9,600*l.* He had a letter from a very intelligent gentleman, describing the condition of this island, and the profitable lease which the Rev. John Lonsdale held under the Crown. [The hon. Member here read an extract from the letter, in which, amongst other matters, it was stated that there were nearly 6,000 acres in it of the finest land in the whole kingdom, and that being tithe-free and almost extra-parochial, they were as cheap holding as any land in England.] Now, as such was the case, he wished to be informed why the Commissioners of Woods and Forests, having all the resources of the nation at their command, could not have laid out 10,000*l.* for the embankment of the island, and then have let it out to different tenants at an annual rent of 10,000*l.* as well as the Rev. John Lonsdale, who was clearing 7,000*l.* a year by his speculation, and by their want of attention to the public interest? He mentioned this as a case where the commissioners had taken an inadequate consideration for the leases of lands which they had granted; and he would proceed to point out the inadequate considerations which they had also taken for the leases of houses. Two houses in Piccadilly, eight houses in Jermyn-street, as many in Little Jermyn-street, four in Crown-and-Sceptre-street, and several others in that neighbourhood, making altogether thirty-one houses, in the very best part of London, were let in 1802 for 125*l.* a year; and yet in 1786 this property was estimated at the yearly value of 786*l.*, and must now, as every man who heard him would be aware, be worth at least many thousand pounds. Nineteen houses in Holborn, near the Turnstile, were let for 664*l.* a year; and from an estimate which he had desired to be taken of them, he was led to judge each house worth from 100*l.* to 130*l.* a year. Three houses in Spring Garden-terrace were let for 236*l.* a year, on condition of 550*l.* being expended on the repair of them. He believed that all the houses in Spring Garden-terrace were built upon the same scale, and he thought that any single house in that terrace would be a cheap house that could be had for 236*l.* a year. On that point the noble Lord opposite could easily set him right if he were wrong, for he believed that the noble Lord had rented a house there some time himself. Four houses on the north side of Piccadilly were let on a lease of 260*l.* a year, with 207*l.* for repairs. Three houses on the south side of Pall-mall were let on a lease of 350*l.* a year, without any sum being fixed for repairs. Now, every gentleman who walked along these streets must see that these were mere nominal rents,—far, far below the real value of the houses. He found in Huntingdonshire what he could not help calling a very singular letting. In the year 1815 a lease for lives was granted at a rent of 117*l.* of property, of which the estimated value on oath was 1,104*l.* The lessee in this case was Sir John Throgmorton. He came next to what he should call the inadequate consideration obtained by the Commissioners of Woods and Forests for the Real Estates of the Crown, and he really must request the attention of the House to what he could not help calling their singular disposition of that property. He found that in the year 1812 they had sold freehold estates in some of the finest counties in England, yielding a rental of 1,084*l.* comprising ancient Manors, and Parks, and Royalties, for only twenty years' purchase. They had sold the Manor of Eltham and all the manorial rights and royalties belonging to it—of which the annual value was represented to be 559*l.* odd—for 11,186*l.* 17*s.* They had sold the manor of King's Cliffe, with the courts, demesne, and other lands, and the royalties and appurtenances thereunto belonging, estimated at the annual value of 138*l.* for 3,000*l.* They had sold the manor of the chapter of Beverley, with all rents, courts, rights, members, and royalties, demesne lands, and tenements thereto belonging, estimated at the yearly value of 325*l.* for 6,515*l.* Now it was impossible to speak of manors, with courts and royalties attached to them, without seeing they were a species of property which to many persons were highly desirable, and which were consequently highly valuable. The holding of such courts gave a local distinction to their proprietors, which few men were capable of undervaluing. Now the commissioners had sold these estates, together with the Newmarket race-course, of which the estimated annual value was 150*l.*, for the mere trifle of 21,160*l.* These sales, besides, were upon the old rents, which he had before had occasion to remark were nearly nominal. They then had all the land-tax charged upon them, which the commissioners, however, had redeemed previously to disposing of them, as if they were determined to give the purchasers the best bargains in their power. They had redeemed the land-tax at thirty-nine years' purchase, and had sold it to the purchasers of these estates at twenty years' purchase. That was indeed management. He now came to a very singular transaction, which had taken place in the year 1809, and to which allusion was made in the first report of the Commissioners of his Majesty's Woods and Forests. On the 28th of August, 1809, all the estate, right, title, and interest, remaining in his Majesty in and upon the hayes or walk of Sulehay-fermes, and Shortwood, and Morehay, in the forest of Rockingham, under an Act passed in the 36th Geo. 3rd, (1796,) to enable his Majesty to grant the same to John, Earl of Westmorland, his heirs and assigns in fee simple, upon a full and adequate consideration to be paid for the same, was granted away to two gentlemen appointed in that behalf by the said John, Earl of Westmorland. There was no return made as to the value of this property in the report of the commissioners of 1786. Its annual value, however, previously to the year 1796, was stated to be 7*l.* 5*s.* 3*d.*, but a survey of it having been made at that time, it was declared to be worth 952*l.* 15*s.* 3*d.* per year, exclusive of the value of the lodges and the timber. So that John, Earl of Westmorland, previous to the year 1796, had been holding for a rent of 7*l.* 5*s.* 3*d.* a property which was then declared worth the annual sum of 952*l.* 15*s.* 3*d.* exclusive of the lodges and timber upon it. He could not conceive by what mystery the value of this forest had so entirely escaped the notice of the Crown. It had been made the subject of a special report at an early period in the last century, and from that report he would venture to read a short extract. [The hon. Member then read an extract, from which it appeared that no timber had been felled in that forest before the year 1704; that in the year 1702, information was given to her Majesty, that her rights in that forest were much undervalued, and that if they were made matter of investigation, they would be found, in land and timber, to be worth 50,000*l.*; that an investigation was made, that subsequently a considerable fall of timber took place, and that then the rights of the Crown in that forest were estimated at 50,000*l.*] This property, then, which in 1704 was declared to be worth 50,000*l.* was let to John, Earl of Westmorland, up to 1796 for 7*l.* 5*s.* 3*d.*, and after that year for 953*l.* John, Earl of Westmorland, bought it at last, and it was, therefore, worth while to consider what he had given for it. John, Earl of Westmorland, gave for it, including the lodges and timber, 10,038*l.* 15*s.* 6*d.*, and that bargain was sanctioned by Act of Parliament. But though that Act passed in the year 1796, the money was not paid till July 1809. It was then paid in with interest, computed at the rate of five per cent on the principal, his Lordship having received from it in the interim a rental equivalent to ten per cent. According to the old rental it was worth 950*l.* a year, and while his Lordship was receiving at least that for it, he paid only to the Crown the interest of his purchase money, or five hundred and odd pounds. No wonder, then, that his Lordship should have been so backward to make the return for which he had moved in the last Session. He mentioned this circumstance to show that there were transactions connected with this Crown property which placed it in the power of the Commissioners of the Woods and Forests to bring in to their aid, and to place under their beck one-half of the Members of both Houses of Parliament. And here it became necessary to consider who in general were the tenants of this Crown property? It was not usual to find noble Lords and hon. Gentlemen taking lands of third parties in order to get a few pounds by the higher rent which they might extract for them from their own tenants; nor was it an ordinary circumstance to find them acting the part of middle-men, unless they were likely to receive a compensation capable of assuaging the injury done to their pride by such apparent degradation. When, therefore, he saw such a number of men of rank among the tenants of the Crown property, he could not help inferring that they derived considerable advantages from the nature of their tenantcy. Out of 408 tenants to the rental of 200,000*l.* in the year 1786, upwards of 200 were men of title, and he could not conceive that they would have placed themselves in that humiliating situation unless they expected to derive some benefit from it. He saw among the tenants of that day the names of Sir T. Clarges, the Duke of St. Albans, Earl Bathurst, Lord Viscount Bacon, the Duke of Gloucester, the Duke of Newcastle, the Earl of Lichfield, and many other noble personages; for, to speak the truth, they were almost as numerous as the names in the Peerage. He had now shown how inconsiderate the commissioners had been when they had got any thing to sell. He would next proceed to the converse of that proposition, and would prove to the noble Lord how lavish they had been with the public money whenever they had any thing to buy. He wished to ask the noble Lord opposite a great constitutional question. He did not know that the Commissioners of his Majesty's Woods and Forests had power to dispose of the money which came into their hands in purchasing parcels of land to round off the parks or to improve the views from the royal residences. He might be mistaken in his notions: the money which came into their hands might, perhaps all of it belong to the Crown; but if it were under the control of the people, any diversion of it to other purposes, without the leave of the guardians of the people, was, in his opinion, a malappropriation of the funds of the public. He found from these reports, that at Virginia Water a public-house called the Wheatsheaf had been bought for 5,000*l.*, and had afterwards been let to a gentleman of the name of Ramsbottom, who was then a Member of that House, for the low rent of 50*l.* a year. Now, if they could sell the ancient property of the Crown, with all the courts and royalties attached to it, for twenty years' purchase, surely they ought to take care that they did not themselves purchase land at a worse rate; and above all things they ought to guard against giving such an extraordinary price as 100 years' purchase for a paltry public-house. They also bought certain premises at Egham, for which they gave 1,100*l.*, but these they did not let at all. They also bought certain premises at Windsor, and these he found were to be occupied by different members of the royal establishment. He also found that they had bought the perpetual advowson of the rectory of St. Marylebone of the Duke of Portland for 400,00*l.*, transferring to his Grace, by way of exchange, at a fair valuation, the rights of the Crown over a waste called the Hayes of Birkland, and of Bilhagh, in the forest of Sherwood, with the trees standing thereon. Now, for that outlay of public money they ought to have a return of 2,000*l.* a year. But how stood the fact? They paid annually for repairs of chapels, &c., the sum of 10,000*l.*; and they received annually, in the shape of fees for pews, and other emoluments, the sum of 8,000*l.*; thus losing, instead of gaining, 2,000*l.* a year by the transaction. Now this appeared to him to be not a very judicious application of the public money.

Lord *Lowther*—It was sanctioned by Act of Parliament.

Mr. *D. W. Harvey*,—I know that there was an Act of Parliament to sanction it, but I likewise know that you may get an Act of Parliament for any thing. Then there was 21,000*l.* paid for having the Moat Park estate laid into Windsor Great Park. Then there was a house in Spring Gardens bought of Lord De Clifford, for 3,300*l.* for an Auditor's Office; and yet they had let three houses of their own adjoining to it for 230*l.* a year. Then there were certain premises at Pimlico, for which they had given 15,000*l.* in addition to 21,000*l.* which they had given for ground in the neighbourhood of Buckingham Palace. Then they had bought at Egham certain premises of the hon. John Coventry for 7,350*l.* and had afterwards sold them, with their usual providence, to the hon. R. Westenra, for 6,000*l.* Then they had likewise bought certain premises at Windsor for 1,350*l.* which they now were glad to let at thirteen guineas a year. [*Loud cries of "Hear."*] He was not aware that the commissioners had a right either to borrow or to lend money. But it appeared from their reports that they had first lent the Duke of York 56,000*l.* to assist him in building his house in St. James's Park—that upon his death they had bought his house for 81,000*l.*, and that they had afterwards sold it again for 73,000*l.* There might be an Act of Parliament too for this for any thing he knew. Then there was the property in Birkland Hayes, which they had exchanged for the perpetual advowson of the rectory of Marylebone. Then he saw that in the year 1819, his Grace the Duke of Richmond had intimated to the commissioners that he was ready to accept of a fair price for his interest in his house in Privy Gardens. They had therefore ordered his interest to be valued, which was found to be worth 5,000*l.* This sum they agreed to give his Grace; but then they said, " By the covenant of your lease we have a right to call on your Grace to make good certain injuries which befell these premises in 1791. We estimate those injuries at 700*l.*, and therefore we shall deduct from the purchase-money of 5,000*l.* this sum of 700*l.*, for which we have had a lien upon you ever since 1791." Upon this he had only one question to ask? how was it that they had allowed this lien to remain so long undischarged? He had mentioned the name of the Duke of Richmond perhaps unwisely, so far as referred to the fate of his present Motion. It might be said, that it was true that in past times the property of the Crown had been let for inconsiderable sums, much below their real value, the cause of which was, the want of a controlling power by which its real value could be ascertained; but that in 1786 an expedient had been devised which removed that objection, and that expedient was, to let no property until a return of its value had been obtained from our own surveyors upon their oaths. Now that was not quite so good an expedient as some persons were inclined to imagine it. No man could help being struck by the difference of value set upon the same premises by respectable surveyors, when examined upon their oaths before juries empanelled to award compensation to persons whose prosperity might be injured by the building of bridges, or any other public work. A memorable instance of such differences of opinion, had fallen within his own experience—a difference which had led upon one occasion to his loss of a seat in that House. He (Mr. D. Harvey) had challenged the qualification of a gentleman who had rested it upon some property which he had upon Clapham-common. He had surveyors ready to swear that it was not worth more than 120*l.* or 130*l.* a-year. But what then? He was told that if only one surveyor would swear that it was worth 300*l.* a year, it was of no avail to him that all the rest swore it was not worth half that sum. He would give a few instances of this difference of opinion as regarded the property in question. In the year 1815 the Commissioners of Woods and Forests addressed a letter to the Lords of the Treasury, and complained of the uncertain system of valuation adopted by their surveyors There were several striking instances of that uncertainty, out of which he would only select a few. In the year 1785, the Black Bear public-house in Piccadilly was let on a lease of thirty years, at a rent of 108*l.* In the course of the improvements which were made in that neighbourhood, it became necessary that that property should be resumed into the hands of the commissioners. The property was accordingly valued,—the lessee's interest was estimated at 3,000*l.* and that sum was actually paid him by the commissioners when his lease was nearly run out. The house, 17 Charles Street, was let by the Commissioners upon a thirty years' lease at 110*l.* a-year. Within a month after the completion of the lease the tenant let it for 230*l.* a-year, thus clearing more than cent per cent by his speculation. In the same street the house No. 43, was let by the commissioners for 140*l.* a-year: and it becoming necessary in the course of the late alterations to re-purchase it, 7,300*l.* was paid for it by the commissioners. In St. Alban's-street a house was let for 40*l.* a-year. The commissioners wishing to resume the property, offered the lessee 1,730*l.* which was refused. Five houses in Castle-street were let by the commissioners for 98*l.* a-year, and immediately afterwards were let by the lessees of the Crown for 328*l.* Such were the effects of surveys and valuations upon oath. He now came to what he could not help considering the most singular case of all. Sir John Gregory Shaw obtained a lease of the manor of Eltham, and divers lands, houses, cottages, and other buildings, for twenty-eight years and a half, from Lady-day, 1811, without the payment of any fine, at a yearly rent of 3,923*l.* 19*s.* Now here was a singular testimony of the singular accuracy with which these surveys on the part of Government were made. As soon as his lease was perfected, Sir John Gregory Shaw sublet the various farms of the manor of Eltham by public auction, and sold them for premiums amounting to 25,000*l.*, reserving at the same time to himself a yearly rent payable during the currency of his lease, exceeding the whole reserved rent paid by him to the Crown. On the first commencement of what was generally called agricultural distress, the tenants of these farms applied, through Sir J. G. Shaw, for some abatement of their rent. The commissioners upon that occasion wrote to Sir J. G. Shaw in a style which, though suitable to his deserts, was rather surprising in them. They stated that, in their opinion, the tenants had a strong equitable claim for relief upon Sir John, but that they (the Commissioners) could not afford him any relief, as they had no doubt that he would find that, at the expiration of his term, the Crown lease would have been to him a very beneficial concern. Having so long occupied the attention of the House with these various items, he would proceed to show the value of the land revenues of the Crown; and in order to do so as clearly as he could, he would first call attention to the state and value of the Irish land revenue. The gross rental arising from Crown rents, composition rents, quit rents, and rents of plus acres in Ireland, was estimated, at the survey taken in 1796, at 61,340*l.* In the interval between 1797 and 1827, the Commissioners had sold 3,687*l.* of it, thus leaving a rental of 57,653*l.* With a view to its sale, he would estimate it, as it arose from freehold property, to be worth twenty-two years' purchase, or 1,268,379*l.* To that sum he would add 83,851*l.* 19*s.* 4*d.* which the Commissioners now had in hand, from the sale of the 3,687*l.* of rent, standing in the books of the Bank of Ireland, in the name of the Lord High Treasurer or the Commissioners of the Treasury. The rack rents amounted to 7,800*l.*, which, at twenty-two years' purchase, would produce about 156,000*l.*, which, added to the former sums he had mentioned, would make a total of upwards of a million and a half. The Commissioners stated in their Report that there were other properties to which the Crown was entitled in Ireland, which might be estimated at 500,000*l.* more: so that the total available sum arising from the Crown property in Ireland, supposing it properly dealt with, would be at least 2,000,000*l.* sterling. It might be asked, what had been the real available amount of the property of the Crown? He had at that moment before him a statement of all the money which had been received on account of it from the year 1793 down to the present time. From the year 1793 down to the year 1804, the receipts were 580,000*l.*, and from the year 1804 to the year 1815, they amounted to 608,000*l.*; from the year 1816 to 1826 they were 2,374,321*l.*, and from 1826 to 1829 they were 1,521,420*l.*, making a total of 5,083,741*l.* He would now tell the House how much had come into the public treasury, and what had been the cost of management. From 1793 to 1804 the total sum brought to the public account was 10,420*l.*; from 1804 to 1815 it was 215,541*l.*; from 1816 to 1826 (during which period 2,374,321*l.* had been received) it was only 8,624*l.*; from 1826 to 1829 (during which time 1,521,420*l.* had been received) not a single farthing had been paid into the Exchequer. From that calculation it appeared that the sum actually paid into the Exchequer was only 234,285*l.*, leaving a balance of 4,849,456*l.* to be accounted for. He found, indeed, that out of that balance there had been expended upon the improvements in Regent-street and Regent's-park about 2,000,000*l.*; for Buckingham-palace, that doubtful ornament of the metropolis, 596,169*l.*; for planting timber, 250,000*l.*; for improvements of forests, 118,181*l.*; extraordinary expense of the parks, 189,000*l.*; royal forests, 253,000*l.*; for Westminster-mews, intended for the accommodation of the members of both Houses of Parliament, but occupied in fact by any body who chose, 56,000*l.*; Royal-mews 26,000*l.*; with various other items, amounting altogether to 4,333,763*l.*, leaving a balance of more than 500,000*l.* to be still accounted for. He would also state the cost of management. In 1827 there were expended, in the collection of rents, law expenses, and other charges, 162,222*l.*; in 1828, 166,984*l.*; in 1829, 177,585*l.*; making a total in three years of 506,791*l.*, which was a fraction more than 30 per cent on the entire receipts from the Crown-lands. He now wished to state what appeared to be the actual value of the whole of the Crown-lands, independently of the Woods and Forests, and that portion which might be considered to belong exclusively to the royal person. There were one hundred and thirty manors worth 1,000*l.* each, or 130,000*l.*; there were freehold estates producing an annual rental of 600,000*l.*, which, at twenty-five years' purchase, would produce 15,000,000*l.*; there were ground rents in various parts of London producing upwards of 50,000*l.* a year, which, at forty years' purchase, would bring 2,000,000*l.*; the rents from houses he estimated at 20,000*l.* annually, which, at eighteen years' purchase, would produce 360,000*l.*; fee-farm rents, &c. were worth 150,000*l.*; the waste lands in forests he estimated at 86,000 acres, which, at 5*l.* an acre, would produce 430,000*l.*; the allotments under four hundred and eighty-five Enclosure Acts, passed within the last forty years, he estimated at 242,500*l.*; the church livings he considered to be worth 100,000*l.*; the Irish estates, at twenty years purchase, would produce 2,000,000*l.*; making a total of 20,412,500*l.* He now begged to apologize to the House for having occupied so large a portion of its attention. He would merely further remark, that his Motion for a Committee to inquire into the subject to which he had directed the attention of the House could not be met by the objection which had been successfully urged against other motions for committees made in the course of the present Session, namely, that the inquiry into which it was proposed to enter was of too general and discursive a nature. The inquiry which he wished to institute was of a precise and limited nature. The inquiry would present a vast field for improvement, and completely answer the great end of economy. It would add to the revenue without increasing taxation, which appeared to him to be the test of political management. He concluded by moving, "that a Select Committee be appointed to take into consideration the present state and management of the Land Revenues of the Crown under the management of the Commissioners of Woods and Forests, and to report upon the most efficient means of rendering them available to the exigencies of the country."

Sir *E. Knatchbull* trusted, that his noble friend would pardon him if he immediately followed the hon. member for Colchester, but he begged to be allowed to make a few observations relative to Sunk Island, to which the hon. Member had alluded. He had been requested to address the House upon that point by the present lessee of the Crown, who perhaps was known to many Members—he meant the Rev. John Lonsdale. He had no personal connexion with the rev. gentleman, and had only known him accidentally from having resided in the parish of which he had been the rector. He admitted the great importance of the subject of the hon. member's motion; and whether the Committee were appointed or not, he hoped that the Commissioners of Woods and Forests would lose no opportunity of improving the Crown-lands. But though the Government property ought to be improved, the rights of individuals were also to be protected, and it was essential for both parties to act uprightly and honestly. For Mr. Lonsdale he could say, that if personal good conduct in every private and every social relation gave a man a title to esteem, Mr. Lonsdale merited the consideration of that House, and he had individually nothing to regret concerning that gentleman, but that their acquaintance had been too short. The case he had to defend was not one of those in which men of title were concerned, and the hon. Member would have known, if he had examined the documents in possession of Mr. Lonsdale's family, that the lease, as far as its value went, was the well-deserved reward of merit. From the inquiries which he had made on the subject, it appeared that Sunk Island was granted to the ancestors of the present lessee by King Charles 2nd on account of their eminent services. It was at first little more than a ridge of sand, but by various embankments, made by the lessee at considerable expense, it had been augmented to 1500 acres. In 1775 a lease was granted for thirty years on a reserved rent of 1500*l.* In 1785 the possession of the property had been contested, and the suit cost Mr. Lonsdale's family 6,000*l.* The last lease granted was in 1804, and the rent was 3,000*l.* Now, when the House took into consideration the great expense, amounting to no less than 22,000*l.*, the anxiety and trouble the parties had been caused by recovering this land from the river and the sea, he thought it would consider the sum then paid to the Crown an adequate rent. He should observe, that by this outlay of 22,000*l.* the land had been augmented to 4000 acres. Subsequently however to 1804 an additional expense of 7,000*l.* had been incurred, and 1,000 more acres obtained. At present, then, there are 5,000 acres, for which a rent is paid of 3,190*l.* a year, and a great expense had been incurred in making that land available. The hon. Gentleman said, that the lessee obtained 9,000*l.* a year for it, and supposing that to be the case, though he was not aware of the fact, he did think it was not more than a reasonable profit on the large sums expended, with a chance only of getting any thing. On the whole the land was not under-let by the Crown, and it could not have been let at a higher rent without doing injustice to an individual. He was not the man to defend any impropriety in the conduct either of the Commissioners or individuals, but in this case he saw none, whatever there might be in the other cases to which the hon. Member had alluded, and of which he knew nothing. He knew of one circumstance, however, which was worth mentioning to the House. Within a year or two some Crown-lands were offered for sale, which he directed his agent to bid for, but they were sold for 500*l.* more than the agent thought they were worth. Judging from that fact, he concluded that the Commissioners were disposed to get all they could for the property they brought into the market.

Lord *George Bentinck* said, he felt called upon to explain the real nature of the transaction in which his noble father (the Duke of Portland) was concerned, and which had been misrepresented by the hon. Member. The right hon. member for Liverpool could bear witness that when his father wished to dispose of his interest in the living of Mary-le-bone, it was valued by an eminent land-surveyor at 46,000*l.*, and not at 40,000*l.*, which was the sum paid for it. His noble father was offered a larger sum than 40,000*l.* for it. Not being prepared to hear an attack such as that which the hon. Member had made, he could not state the precise amount of the offer; but it was either 42,000*l.* or 44,000*l.* That offer came from the Dissenting interest; but his father could not endure that any of the property belonging to the Protestant Church of England should, for the paltry consideration of 3,000*l.* or 4,000*l.*, fall into those hands, and on that account he declared his willingness to let Government have it for less than the market price. The right hon. member for Liverpool, acting in his official capacity, was governed by the same motives, and closed with the bargain, and thus the large living of Mary-le-bone was saved from falling into the hands of Dissenters, which might have proved of much prejudice to the interest of the English Protestant Church.

Lord *Lowther* next addressed the House, but in so low a tone that he was indistinctly heard throughout his speech. He said that the hon. Member had been industriously preparing himself during the last two Sessions to bring the present Motion forward. The hon. Member contented himself with quoting from various Reports just so much as served his purpose, and omitting all that was against him. Of that, however, he perhaps had no great right to complain. If he were to follow the hon. Member through all the points of his speech he should have a very hard task to execute, for the hon. Member had taken up his subject at the period of the Saxon heptarchy, and brought it down to the latest moment. However, all the hon. Gentleman had stated was merely a repetition of the able digests of the Reports made by Mr. Middleton and Mr. Fordyce. It appeared to him that he should only be wasting the time of the House by entering into a discussion respecting the profligate grants of Charles 2nd or the prodigal gifts of William 3rd. He did not wish to defend or attempt to excuse grants made to the Pulteneys and Lowndeses of George 1st's time. There could be no question that those were jobs which would not be permitted in the present day. The period at which he would take up the subject was when Mr. Pitt came forward, in 1786, and stated, that the Crown-lands were in such a state as to require investigation, and to be put on a footing better adapted to the exigencies of the State. Ever since that period, the revenue of the Crown-lands had been gradually increasing. In 1797, the revenue was 46,133*l.*; in 1805, it was 59,000*l.*; and at a later period, 250,000*l.* and now it was 279,000*l.* Ever since the Commission of Mr. Pitt, therefore, the revenues of the Crown-lands had increased, and the various disbursements on collecting-rates, law charges, &c. were gradually diminishing in proportion, notwithstanding the exaggerated statements of the hon. Member. He could not pretend to follow the hon. Member through all the various details of his speech. He would, however, advert to a few points. Certainly in Henry 8th's time there was a great increase of the property of the Crown; but then it should be remembered that Cromwell had sold all the Crown-lands at eight or ten years purchase, which was so much below their value, that the bargains were revised in the reign of Charles 2nd. He must declare, indeed, that most of the hon. Member's statements were extremely exaggerated, or were vitiated by omissions. Thus he had forgotten, in describing the Alum-works purchased by Lord Mulgrave, to state that the noble Lord was also bound to pay 1200*l.* a year to the Consolidated Fund, which annuity, together with the money he paid for the property in question, was adequate to its value. The hon. Member had also stated that an individual would give 200,000*l.* for the Newark property. He would take upon himself the responsibility of saying, that he would accept that offer, or a much less one, but he was well aware that the hon. Member would not produce any person to make it. He was well acquainted with Newark, and would venture to assert, that neither the hon. Member, nor any other person, would make such an offer for the Crown property there, notwithstanding all the parliamentary interest which was supposed to be attached to it. He had happened to occupy one of the houses in Spring-gardens to which the hon. Member had alluded. He paid a rent of 260*l.* a year, and his lease had five years to run; when he wanted to remove, and before he could find a tenant, he was obliged to give him 500*l.* to take his bargain off his hands. The hon. Gentleman was misinformed on many points. Sometimes he over-rated and at others he underrated the value of this peculiar species of property. He took the country property for instance at 500,000*l.* a year—a sum which was by no means realized, while he estimated the property in London at 50,000*l.* a year; whereas it appeared by documents laid before the House, that the ground-rents in London averaged 100,000*l.* a year, and that they last year produced 105,000*l.* This proved how imperfect the information of the hon. Member was, though he had been studying the subject for two Sessions. He admitted that some of the estates mentioned by the hon. Gentleman were capable of great improvement; and, he believed, that of all the Crown estates in the kingdom there was not one which had undergone more important or more expensive improvements than that of Sunk Island. It consisted of a few acres of land, which were said now to produce 10,000*l.* a year, but which some years ago were worth nothing. The cause of this great increase in value was solely to be attributed to the extensive and liberal improvements which had been effected. Mr. Fordyce had stated that those who were in possession of the property had gone on with its progressive improvement. Having been given to understand that it was a property of so much importance, he went to Sunk Island in the course of last summer, and he found that a considerable part of it had been banked up to preserve it from the encroachments of the sea. The tenants had built strong walls to secure them from the effects of sudden inundation. The hon. Member had alluded to the estate of Rosedale, in the county of York, and he had blamed the Commissioners for investing those estates as they had done. Now it was a remarkable point, that the hon. Gentleman seemed to think, that when the Commissioners of the Land Revenue sold to other persons, they gave away the property too cheaply, but that when he came to deal with them, they made most offensive and exorbitant demands. The hon. Member, he believed, was acquainted with, and wished to get possession of, the estate of Rosedale, which property he (Lord Lowther) had never visited. The surveyor employed by the Commissioners of Woods and Forests blamed them for not disposing of it in lots. But it was contained in a ring fence, and they thought it would be better to make it a property fit for the residence of a country gentleman, which, by the Charing-cross Act, they were allowed to do. He admitted that it was in a part of the country not very desirable on account of its locality, but still it was susceptible of great improvement. The surveyor employed by the Commissioners of Woods and Forests estimated its value at 63,000*l.*; and the hon. Member now blamed the Commissioners because they had refused a bidding of 36,000*l.* which had been made by his agent. He knew that the hon. Member had written to the Commissioners the day after the particulars came out, and he was glad of it; because when any truth was disclosed which appeared likely to be of benefit to the public, it was only right that attention should be paid to it. He saw the flaw which the hon. Member pointed out, and he caused the bills which had been sent forth to be recalled, and he delayed the sale in consequence of that representation. But the hon. Member said, that the Commissioners ought to have demanded less for this property. Now he would assert, that consistently with his duty, he could not have taken less. Their surveyor in Yorkshire, who was an able and a faithful officer, not only employed by the Government, but by some Members on the other side of the House, was of opinion that 63,000*l.* was too little. Before that price was determined on, he had submitted all the papers to Mr. Driver, a gentleman well known to many individuals in that House, and he had valued the property at more than their official surveyor did. The Commissioners, however, declared that they would let it go at the valuation of 63,000*l.* There were no bidders to that amount, and Mr. Driver was again employed to survey the property. His Report was, that he conceived it to be a very good bargain at 63,000*l.* He merely mentioned this fact without comment, for he did not wish to say any thing that savoured of spleen or venom, as the hon. Gentleman had done with respect to him. With respect to the public-house at Virginia Waters, he admitted to the hon. Gentleman that an extravagant price was given for it. But when it was stated that the House in question was situated in the park, within fifty yards of the Virginia Waters, perhaps Gentlemen would agree with him that if, in any instance, some degree of extravagance was excusable, it was under the peculiar circumstances in this instance. There was one part of the hon. Member's speech which he did not very well comprehend. He understood him to say, that the Rockingham estate was purchased by the Earl of Westmorland in 1809. The fact was not so. A grant of the Rockingham estate was made in 1764, to the Earl of Westmorland, for 17,000*l.*, and a smaller sum was paid in 1809, not for the estate, but for the honorary and forestial rights appertaining to it. As to the estates of Morton and Waldale, he knew that they had been improved, and were capable of still greater improvement. But it did not follow that they had been improvidently let. When those lands were first taken, they were furnished neither with drains nor roads, but they had been greatly improved in those particulars, and at a very considerable expense by the holders. In giving these explanations of some of the misrepresentations of the hon. Member, he had confined himself to the Report of 1786, for he could not, without preparation, go so far back as the hon. Member had done. Looking to the whole of the hon. Member's speech, extended as it was, he did not think that the hon. Member had laid any just grounds for going into a committee. He had had the honour to bring in an act, in the last Session of Parliament, to consolidate and bring into one act all the acts which related to this subject. By referring to that statute, every one was enabled to see at a glance what the power of the Board of Woods and Forests really was. As regarded the public, an additional protection was also afforded, for the annual accounts and proceedings of the Board were directed to be laid before Parliament, so that they could be promptly inspected and examined. He thought it right that this should be so; because, in his opinion, the Commissioners of Woods and Forests ought to stand in the same situation as other public boards. He believed that all the members of that office, as well as himself, were ready to explain and justify the outlay of every sixpence in their department. He was anxious that there should be laid before Parliament a full account of the expenditure of the funds which were paid into this office. He was perfectly aware of the interpretation of the law with reference to this property. It was ordered that it should be laid out for public purposes, and he knew that a very small portion of the proceeds of this property had been paid into the Exchequer. But that revenue was at the disposal of the House of Commons, and under their direction much of it had been appropriated to various improvements. From 1799 to 1812, 198,000*l.* had been paid into the Exchequer, and at that time Parliament entered on the formation of the new street, and the laying out of Marylebone-park, which came to upwards of 1,000,000*l.* sterling. If these funds had not been made available for the purpose of these improvements, Parliament would have been obliged to draw on the consolidated fund, or to seek for some other resource. He did not understand that there was any other fund that could easily be appropriated to the formation of Regent-street, or the removal of Swallow-street, and other narrow streets in that neighbourhood; and he might here be allowed to observe, that some of these improvements paid well, even at the present time. The same remark would apply to the alterations at Charing-cross, and to the improvements in the Park. These were all effected out of these funds. And, indeed, he might say that, with the exception of the purchase of Claremont, and a few other sums furnished for different purposes, the revenue arising from this property had been devoted to public improvements. In point of fact the hon. Member had himself furnished a reply to his own observations. His motion was needless, for the House was in possession of an account of the receipt and expenditure of these revenues from the year 1815 up to the present time. These accounts were regularly furnished, and Parliament kept a watchful eye upon every branch of the department, a circumstance which he by no means regretted. When the hon. Member said, that there was a gross charge for the management of these estates of nearly thirty per cent, he was in error. It was not thirty, but ten per cent, and it ought to be recollected, that this was a very different thing from the management of a private estate, since it was necessary that there should be secretaries and other officers. There were also pensions and annuities charged upon these funds, as well as provisions for the clergy of certain schools, which had existed for one hundred or two hundred years. The hon. Member had mixed up these old payments with transactions of a more modern date, and thus he had endeavoured to swell out the expense. The amount of expense at present was—salaries of officers, 13,800*l.*; rangers and woodmen, 6,200*l.*; receivers of land revenues, 4,200*l.*; incidental expenses, 1,300*l.* The necessity of reducing needless offices had long been felt; and from 1815 to the present time reductions were made to the amount of 10,000*l.* a year. There were formerly two secretaries, one for the Woods and Forests, the other for the Land Revenue, which offices had been consolidated into one, and a saving effected. When the forests were ordered to be enclosed, or rather during the time when the enclosure was in progress, there were a number of officers having 50*l.* a year and upwards, who were all reduced. The situation of out-ranger of Windsor Forest, to which was attached a salary of 1,200*l.* a year, was also done away. Formerly, a sum of five per cent was paid to Dr. King, the Bishop of Rochester, as Receiver of Crown Rents in Middlesex, amounting to 100,000*l.*, but on his death two Receivers had been appointed, with a salary of 500*l.* each, and a saving of 4,000*l.* was effected. Many other reductions had been made, and the Board was determined to increase them still further.—The hon. Member had spoken of the benefit derived by the Crown from exchange of Land Revenue for the Civil List, which he seemed to imagine had been first commenced in the reign of Anne, but it really began in the reign of Charles 2nd, when a number of revenues were given for others, such as Alienations and First Fruits. The Alienations in Charles 2nd's time amounted to between 200,000*l.* and 300,000*l.* a year. If there had been a flagrant case of the improper sale or disposition of the Crown-lands brought before the House by the hon. Member, a case for a committee would have been made out, but none such had been, and therefore he saw no reason for assenting to the Motion.

Colonel *Davies* said, he knew not what impression the speech of the hon. Mover had made on the House, but of this he was sure, that it would make a deep impression on the nation at large; and he conceived that every thinking man must come to this conclusion, that it was a matter of very great importance that a very rigorous investigation should be instituted with respect to the proceedings of this Board. He thanked the hon. Member for the very able and clear statement he had made, and for the great research which he had displayed. The noble Lord complained of the hon. Mover for having adopted so wide an extent of observation: but without going back so far, applying himself to the triennial Report of the Commissioners only, he thought he should be able to show, that if abuses existed formerly in this department, they had not ceased when that Report was brought out. He wished it to be plainly understood, that in what he was about to say, he meant not to cast any imputation on the noble Lord, because he believed that the noble Lord was not in office when that to which he was going to call the attention of the House took place. What he had to reprehend applied not to him, but to his predecessors. From what appeared in that Report, it was evident that the revenue of the Crown, as now managed, was most unproductive; so far at least as the public interest was concerned. There seemed to be a most improvident expenditure, and not a single shilling was brought into the Exchequer. He could show that no surplus of the land revenue appeared for the last fifteen years, but that, on the contrary, an enormous debt had been incurred. By the Report of 1786, it was estimated that, in future, the amount of revenue might be raised to 400,000*l.*, but that expectation had not been realized. The sum raised from the houses, fee-farm rents, &c. was, in 1826, 169,703*l.* per annum, which cost in collecting the sum of 48,747*l.*, or at the rate of no less than twenty-eight per cent. In 1826, the income of the land revenue, timber receipts connected with the royal forests, &c. amounted to 33,140*l.*, and the charge of collection was 36,856*l.* In the following year the receipts were 36,055*l.* and the management cost 34,302*l.* In 1828 the receipts amounted to 34,963*l.*, and the charge of collection to 36,043*l.* When the House found the expenses of collection exceeding the produce of the receipts of this part of the revenue, surely it was a subject demanding inquiry. If it did not grant an inquiry, the Members might satisfy themselves, but they would not satisfy the country. He came next to the expenditure connected with the parks, though he would say nothing of the ruinous gew-gaws that disfigured, not ornamented, some of them. In 1826 the ordinary expenses of St. James's and Hyde-parks amounted to 10,000*l.* — the expense of the Regent's-park in the same year was 6,000*l.*—of Richmond, Hampton-court, Bushy, and Greenwich-parks 12,000*l.*, and of Windsor Great park, 20,600*l.* But that was not all: the extraordinary expenses of St. James's and Hyde parks in 1826 amounted to 56,300*l.*—of the Regent's park, to 10,000*l.*—and there were also extraordinary expenses for the other parks, amounting with the preceding to a sum of 73,200*l.* The total of the ordinary expenditure for the parks in the same year was 48,810*l.* In 1827, the expenditure, ordinary and extraordinary, amounted to 92,200*l.* In 1828 it was 116,143*l.* Were such sums as these to be annually squandered away without inquiry?

> ——— "Can such things be,
> And overcome us like a summer's cloud,
> Without our special wonder?"

So far from making an exaggerated statement, the hon. member for Colchester had in fact greatly understated the case when he observed that in the last three years the country had not derived a single shilling from the branch of revenue in question. The total expenditure of the land revenue within the last three years was 1,388,306*l.*, but 565,000*l.* of this did not belong to the ordinary revenue of the Crown, for a sum of 265,000*l.* had been raised by alienating Crown-lands, &c. and 300,000*l.* was raised on account of Windsor castle and other branches of expenditure; so that instead of the account being balanced, the land revenue had incurred a debt of 565,000*l.* So much as to the state of the account. The noble Lord had alluded to the new street and the improvements at Charing-cross: with respect to the former, it might be impossible to say what would be the total cost, but he believed that from first to last it had been already 1,833,000*l.*, although the original estimate was only 368,000*l.* The rents of houses did not exceed 36,000*l.*, being under two per cent per annum on the outlay. He thought Regent-street a great ornament to the metropolis, but objected to the manner in which the undertaking had been conducted, and was of opinion, if it had not been left in the hands of Mr. Nash, but had been placed under proper superintendence, that instead of 36,000*l.* a-year, we might have realised three or four times that amount. The Board was going on in the same sort of way with respect to the improvements at Charing-cross, the original estimate of which was 850,000*l.*, but which, he believed, now amounted to 1,147,000*l.* He fully agreed with the hon. member for Colchester in the opinion that the whole system required revision, and that as matters now stood it might easily be converted into the fertile source of every species of job and abuse. He did not say that such was actually the case; but if those in authority did not use the power which they possessed for the purpose of exercising improper influence, it was attributable to other causes than the control of Parliament. The only proper mode of proceeding would be, in pursuance of the Motion of the hon. member for Colchester, to appoint a committee to investigate the subject. We ought to adopt the resolution of disposing of the Crown rents by the hammer to the best bidder; and with respect to the royal forests, we should reduce the amount of the expenditure connected with them, and render them more advantageous to the public revenue. It was most ungracious in the Government, to oppose a motion for an inquiry into the subject. He had formerly shown that leases of the Crown-lands were granted for inadequate considerations, and that this had been done by individuals placed in situations that were intended to control and prevent the occurrence of such transactions. A gentleman appointed to oversee these matters, had, in one instance, put 14,000*l.* in his pocket by these means, and received an increased interest of 1,700*l.* a year out of an estate in the Regent's-park. Last year he had forced an inquiry into these matters, having stated such facts as rendered it impossible to refuse it, but there was not time to finish the investigation during the Session, and this Session Government refused to follow it up. However, he could assure Gentlemen opposite, that he had not lost sight of the subject. He would, therefore, again press upon Ministers the propriety of an inquiry into the matter under consideration. They were bound to institute one, if they did not mean to admit that all their professions of economy, inquiry, and reduction, were mere idle nonsense, intended to delude the country. He should only say, that he for one had acted with a sincere desire this Session to offer his support to Government, as far as he could consistently with the discharge of his duty; but if Ministers showed a disposition to refuse all inquiry, to support every job and abuse—and he feared that the last two or three nights' debate evinced such a wish on their part—they would find that those who were desirous of offering them an honest and independent support must refuse it, and that probably at a period when it would be most wanted.

Mr. *Arbuthnot* next addressed the House, but in so low a tone of voice as to preclude the possibility of giving a clear and connected account of what fell from him. The hon. Gentleman was understood to say, in reply to the observations of the preceding speaker, that the hon. Member had not stated fairly the opinion of the Commissioners of Land Revenue Inquiry in 1786. It was true the Commissioners in one part of their Report expressed an opinion, that under favourable circumstances the income of the Land-revenues and Crown estates from all sources might finally amount to 400,000*l.*, but in a subsequent part of the Report they limited their expectations, after making the proper deductions on account of the demised estates of the Crown, to an income of 200,000*l.* When the Commissioners stated the larger sum, they took into account an extensive system of planting, and the growth and increased value of the timber in the royal forests; but the plan of extensive planting had not been pursued as contemplated. The demised estates amounted to 170,000*l.* or 180,000*l.* This was realizing the expectations of the commissioners pretty well. At the time that the parliamentary commissioners expressed a hope that the rents would amount to 200,000*l.* only 11,000*l.* a year was received. He defied the hon. Member for Worcester to prove that there had been any new arrangements in the Woods and Forests. The hon. Member said, that the expense of collection was 28 per cent, but this he denied. The hon. Gentleman proceeded to say, he was sure it was in the recollection of hon. Members that animadversions had been made on the state of the Parks from the other side of the House. In consequence of these remarks, the right hon. Secretary for the Home Department called the attention of the Treasury to the subject, and he (Mr. Arbuthnot) was desired to undertake the management of the improvements. Estimates were preferred, and the alterations commenced. Whether the improvements in the Parks deserved censure he would not pretend to say. The utmost endeavours had been made to carry them into effect in a manner the most advantageous to the public, and if the hon. Member for Worcester knew all the trouble and difficulties of the undertaking, he would not consider it an easy or agreeable duty. He trusted that the alterations had given satisfaction to the public, and was confident it would be found that the greatest economy had been adopted in carrying on the works. The architects and other persons employed had given in estimates, and the various works were executed on contract prices. Generally speaking, not a single work had been executed (so we understood the hon. Gentleman to say), the cost of which was not below the estimate. Great improvement had taken place in the Parks before, but it having been stated that they were not of a nature to afford sufficient room to the population of this immense metropolis to enjoy air and exercise, through the gracious permission of his Majesty measures were taken by which the comfort and enjoyment of the community had been considerably enlarged. If the hon. Member for Worcester was not satisfied with what had been done, he was sorry for it. With regard to Regent-street, he should have been glad if it had been in his power to claim the merit of proposing and carrying on that great work. The hon. Member said, that the first estimate for the new street was 368,000*l.*, but that estimate did not include the entire of the expense. The architect was afterwards ordered to give in another and a more extensive estimate, and it was perfectly true that this amended estimate was exceeded by the actual cost of the undertaking. He admitted that the expense was more than three times the amount of the second estimate. But the hon. Member should recollect that it was not possible in such a work to estimate the amount of expenditure with accuracy. Enormous and extravagant sums were demanded for good-will of houses, &c.—the cases were brought before juries, and the public was defeated in almost every instance. Under such circumstances, although the cost had gone far beyond what was originally contemplated, and notwithstanding the undertaking might not have been attempted if it had been supposed that the expense would have been so great as it eventually turned out to be, he must still maintain that the improvement had added greatly to the comfort and health of the inhabitants of the metropolis, and that even the large sum had been well expended. He came to the works which he himself had undertaken under the sanction of the House,—he alluded to the improvements in the Strand; and he thought it must be admitted that a great and beneficial object had been attained in getting rid of the narrow lanes and alleys that filled that part of the town, which were the scenes of vice and immorality. It would be admitted that this was an important undertaking. The cost of the Strand improvements, as far as an estimate of the expense could be formed, would amount to 748,000*l.* This was Mr. Nash's estimate, and another person had been employed to make an estimate, and his calculation amounted to about the same sum. It was thought, however, that there might be an excess of 95,000*l.* over the estimate, on account of architects' and solicitors' charges, sums paid to make up deficiencies of rates, purchases, salaries, &c. It was impossible to say exactly what would be the cost of undertakings like that in question, where there was not only a buyer but a seller, and where the seller, if dissatisfied, might go before a jury. He denied the charge of bad management adduced by the hon. Member for Colchester, and he was ready to answer all such charges if officially made.

Colonel *Davies* said, in explanation, that he did not mean to find any fault with what had been done under Mr. Arbuthnot's direction.

Mr. *Hume* supported the Motion. Fault had been found with the course pursued by the hon. Member, but he thought that he had done right in going back to the ancient state of things, for had it been otherwise, the hon. Member would have been charged with not understanding his subject. He did not intend to charge any one with actual corruption, but the very nature of the office threw open opportunities which were better avoided. The importance of the measure brought forward by the hon. Member was indisputable, and yet the benches of the House showed how little attention was paid to it. The other night, when the question was only about 900*l.*, the House was crowded, but now, when it amounted to nearly nineteen millions, no one thought it worth his while to attend. The answer of the noble Lord went but a very little way with him. It was true, indeed, that he had pointed out some small mistake as to the rents in London, but as to the general case, it had not been answered at all. He believed that the noble Lord was willing to do the most in his power to amend the abuses that had crept in, but that was no reason why Parliament should not inquire into the circumstances of the case. If the committee moved for by the hon. Member were not appointed, it was at least to be hoped that estimates respecting the Woods and Forests would be regularly laid before the House. By the mismanagement of the Crown-lands the country had lost all the benefits that it ought to derive from this source, although he had no doubt that, properly managed, they might produce to the public 700,000*l.* a year; and if sold would produce from 17 to 18 millions. Let them look at the Woods if they wanted to see how badly these things were managed. The timber, which ought to be enough to supply the whole Navy, was miserable; and he should be glad if the noble Lord would lay on the Table of that House all the loads of timber that had been cut;

he did not want the loads themselves—the returns of the loads would answer all his purposes; and it would then be seen what a miserable supply those Woods produced. He believed if it were weighed against the silver it had cost, the latter would be the heaviest. Under these circumstances, he contended that it was futile to expect that the public would derive any advantage from these possessions, as long as they were conducted as at present. In his opinion, the most economical course would be, to sell everything off, and with the proceeds to lay the foundation for a Sinking Fund. At all events, whether this were done or not, he objected to any body or set of men having the control of so large a portion of the public money without being answerable to, or under the control of Parliament. He believed that, under any circumstances, it would be impossible to raise the country from its present dreadful state of depression, but, at all events, if the thing could be at all accomplished, the Crown-lands, properly employed among other means would afford the House an opportunity of effecting a great national benefit. At least the country would thus get rid of most expensive machinery, and most gross mismanagement. In the accounts then before him he saw that the revenue from Crown-lands was 144,000*l.* to which must be added that oppressive tax on commerce, the income derived from light-houses, amounting to 18,000*l.* a year, though that was only the half of the sum levied on trade by private light-houses. Adding to these sums 11,000*l.* for fines, 36,000*l.* for the use of Royal parks, and some other items, the whole amount was only 248,000*l.* per year, instead of being what it ought 700,000*l.* or 800,000*l.* The expenses too were enormous, all of which were a clear loss, and under a proper system of management might be wholly saved. He objected also to any Board or any set of Commissioners having such large sums of money to dispose of without that money being under the control of Parliament. The House knew how that money was applied occasionally, and had it done its duty, the Ministers who had applied the Crown revenues to the purposes of parliamentary corruption, would have been impeached and punished. He did not blame the noble Lord now at the head of the department; he blamed the Government for having such a department. He would follow in one respect the advice of the noble Lord, and instead of looking at past errors, endeavour to find a remedy against future mischief. He would on that account support the Motion for a committee to inquire, for it was only a committee which could procure the proper information. He knew how the accounts of the Crown revenues were kept, some in one place and some at another, some at the Treasury, and some at the Board of Woods and Forests, and if the Crown-lands were not all to be sold, which he thought would be the most advisable course, they ought at least to be placed under some one responsible person. The hon. Member concluded by pressing on the Ministers the propriety of selling all the Crown-lands, and by saying that he should cordially vote for a Committee, which he was sure the hon. member for Colchester would be able to conduct to a successful issue.

Mr. *Huskisson* said, the hon. Members who had spoken on the other side seemed to regard this property as quite at their disposal. The hon. Member who spoke last accordingly would sell it all off to pay the National Debt; but this plan, though it might appear feasible to him, was attended with one great difficulty: the House could not dispose of these lands. By the Act of the year 1786, the manner in which the Crown-lands could be disposed of was regulated, and when they were sold, the proceeds were ordered to be invested in a particular manner. The Parliament had no right to dispose of the hereditary revenues of the Crown without its consent; and the Parliament and the Crown were not at liberty to dispose of it beyond the life of his present Majesty. With respect to the observations made by the hon. Member, relating to the forests, and to timber for the Navy, they seemed to him to be unfounded, and the hon. Member to be not very well informed on that subject. He was ready to admit that from the time of King William up to a period about twenty years ago, the royal forests had been much neglected. The situation of the country then, and the wants of the Navy, induced the Government to turn its attention to the subject, and to carry into execution the Acts of King William. The royal forests were then enclosed and planted, and there were now 40,000 acres of land covered with as fine trees, and in as good a condition, as any forest land in the country.

It was not yet very valuable, for oak timber did not come to perfection in a day, but in a few years it would afford the country a most valuable supply of that useful material. He recommended the hon. member for Montrose not to be contented with his description, but to visit the New Forest during the Easter recess, and satisfy himself of the care which was taken. The hon. Member seemed disposed to blame the present Government for the neglect of all the governments, from the time of King William down to the present time; but this was very unfair. He admitted that a great expense had been incurred in planting these forests, but they were now most economically managed—as economically managed as any private gentleman's property. The woodmen who were actually engaged in the forests did not receive more than 15*s.* a week, and he believed that they could not be got for less. He did not know on what ground the hon. member for Montrose had assumed that the Crown-lands were now worth 700,000*l.* a year. If in 1793 they were worth 400,000*l.*, it did not follow that they were now worth 700,000*l.* It should be remembered that a great number of the leases were not yet expired, and the estimate included the forests which were not at present productive, but would be in a condition hereafter to repay the expenses now incurred. For himself, he did not doubt, however, but the Crown estate in the metropolis, when the leases fell in, would be worth 500,000*l.* a year. The ground rents were now 100,000*l.*; and as the leases fell in, the houses would be worth at least five times that sum; so that he was justified in taking the increased value at 500,000*l.* He did not think that he overstated the increased value at that sum, though that might make him appear even more sanguine than the hon. Member. The other parts of the Crown-lands, not in the metropolis, he estimated at between 2 and 300,000*l.*; so that he expected hereafter that the Crown-lands would yield 800,000*l.* instead of 400,000*l.* He did not mean to follow the hon. member for Colchester through all the historical learning and historical details he had entered into. It would be unnecessary to take up the time of the House in doing that, though hon. Members would allow him to remind them, that when the Civil List was regulated at the accession of Queen Anne, the power of alienating the fee of any domains that remained in the possession of the Crown, or of granting beneficial leases beyond a certain period, was then taken from the Crown. Such leases, however, continued to be granted, and up to 1794 not much care was taken of the Crown-lands; but in that year an Act, brought in by Mr. Pitt, caused a complete change in the management of them, and very much curtailed the influence of the Crown in that House and in the country. In 1786, the estate which, according to the report of the commissioners, was worth 400,000*l.*, was let for not more than 6,000*l.* a year. The Act of 1794 deprived the Crown of the great patronage and influence it possessed by having the power to grant beneficial leases to the amount of 400,000*l.* The Crown then gave up this power, and that measure, more than any other which had been passed since the accession of the House of Brunswick, had diminished the influence of the Crown. When Gentlemen complained of the extravagance of grants, they ought to remember that they were all made prior to the year 1794, when the Crown was justified in granting them. According to that Act, as the leases fell in, the land was to be examined by two surveyors, who were to report on oath, and then it was to be re-let at a rack-rent, and those who had the management of this property could not depart from these conditions, which were not over-beneficial to the lessees. The land formerly let, the Board, after having had it surveyed, were empowered to offer to the former lessee at five per cent under the estimate of the surveyors, and if he did not choose to take it on these terms, then it might offer the land to the occupier, or dispose of it by public competition. The law restricted the letting of the Crown-lands except on these conditions. They could not be let for anything less than the rack-rent, except five per cent; and he believed it was customary among landed proprietors, to manage their land in the same way, and to abate something of the rack-rent, in order to induce the farmer to cultivate it well. He knew one estate that had been so let—it was a large estate, held by the Marquis of Stafford, at Chelsea. The lease expired, the land was valued, and then it was tendered to his noble friend at five per cent lower than the rack-rent. His noble friend did not think the lease worth renewing, and he left the land to the occupiers. He was entitled therefore to say, and he knew it was the case when he was in the administration of the Woods and Forests, that every one of the Crown estates was let for the utmost rent it would fetch. The hon. Member had referred to Eltham, which estate was let twenty-six years ago to the former lessee, for 3,990*l.* In a time of delusion and speculation, when people were madly undertaking all sorts of enterprizes, this gentleman re-let the land, and obtained a premium for it to the amount of 25,000*l.* or 30,000*l.* After a time, however, the lessee, Sir John Shaw, came to the Board of Trade, and stated that his sub-tenants did not give him as much for the land as he gave to the Crown, and therefore he required an abatement of the rent: but he was told that he had taken it on speculation, that in a good time he had made a profit on it, and therefore he must bear the loss of a bad time. The Office of Woods and Forests never made any abatement, unless the land was occupied by the tenant: to middlemen, who took it on speculation, no abatement ever was made. He contended, in opposition to the hon. members for Montrose and Colchester, that there were no jobs at the Office of Woods and Forests, and he was bound to say this out of regard to the gentlemen who were at the office with him, and were there now. If either of the hon. Members would call for information on any particular transaction which they called a job, he would entreat his right hon. friends to give every paper that could be asked for. It was not fair in hon. Members to deal out general aspersions against gentlemen. For his part, he desired a full investigation of every case which had been called a job, and he was sure that when investigated, it would be proved that there were no jobs. He should detain the House too long were he to advert to every case, but he must say of the case of the Earl of Mulgrave, that it had been kept out of view, and he must also say hardly fairly kept out of view, that he paid a quit rent of 1,200*l.* a year, as well as the 27,000*l.* he had given for the lease. He did not know whether that were a fair value for the estate, for it must be recollected that it was let before 1797, but what he contended for was, that it was not just to omit the annual payment made by the noble Earl. Again, there was the property leased by the Earl of Westmorland, in Rockingham-forest, which, though giving a rent of 900*l.*, had been sold for 1,300*l.*; but what was the reason? The noble Earl had a right to the land, and the Government had a right to the timber beyond a certain growth. The dimensions fixed were large, and the consequence was, the Earl always cut down the timber before it reached the size at which it belonged to the Government. It had been found better then to make another arrangement with the noble Earl, but the terms offered him were so disadvantageous, that for a long time he would not accept them. The hon. Member had said, that the commissioners never sold property at more than twenty years' purchase; but when money was at six, seven, and eight per cent, gentlemen holding landed estates at fee-farm rents were not willing to purchase even at twenty years' purchase. With respect to royal manors, upon which so much stress had been laid, these were sometimes a burthen, inasmuch as the parties were forced to hold courts, the expenses attending which amounted to more than the nett income; but in all cases the sales had been by competition, either by public auction, or by sealed tenders. These manors, or rather honours, for they conferred little benefit, were the appendages of feudal rights; and when they were dissevered from the Crown, into whose hands did they fall? Why into the hands of litigious attornies, who converted them into engines of vexation. He remembered one manor in Kent, which cost the country annually 12*l.* or 14*l.*, on account of the expense of holding courts, and other things of that kind, which, from the competition between two individuals interested in the possession of these privileges, sold for 400*l.* The manor of Clare, in Suffolk, which was extensive, though it cost the Government annually a sum of money, was sold for 2,000*l.* He regretted, indeed, that these manors had been sold, because the attornies, into whose hands they had gone, employed their rights and privileges to harass the people. The forest of Exmoor, which cost the Government yearly 10*l.* or 12*l.*, was sold by competition, with sealed tenders, for a sum of 51,000*l.*, the lowest tender made for it being 12,000*l.* An objection had been taken to the conduct of the Duke of Richmond, for disposing of his interest in Privy Gardens, but what were the facts of the case? The Duke held that land under a lease from the

Crown, but it unfortunately happened, that Richmond-house was partly burnt down, and the Duke did not build it up again, though he continued to reside in the part that was not destroyed. An offer was made to the Duke to buy up the reremainder of the lease, the ground was surveyed, and the lease valued at 5,000*l.* but the Government did not give that sum, because the Duke was bound to rebuild the house. After some negotiation, 700*l.* was deducted from the 5,000*l.* and the 4,300*l.* was given to the Duke for the remainder of his lease. The case of the Duke of Portland was far from new. He had determined to sell the perpetual advowson of the great parish of Mary-le-bone. A large Dissenting connection offered him for it a sum of 40,000*l.* It was one of the most populous parishes in the metropolis, and was distinguishable from the others by being out of all Episcopal jurisdiction—neither the Bishop of London nor the Archbishop of Canterbury possessed any authority over it, and the rector might hold any doctrines professed by any Christian Church. Then, as a member of the Church of England, the Duke of Portland acted most correctly and consistently, in offering the refusal of the advowson at the price mentioned, and which he might have had in the other quarter. What then remained for the officers of the Crown to do, but to come down to that House and obtain its sanction to a plan for placing that parish within episcopal jurisdiction? That did not lead, as had been asserted, to an annual expense of 8,000*l.* or 10,000*l.* a year. Such an amount was expended only upononeoccasion. Then it was to be recollected that four chapels were built in that parish, and that it was divided into two, or, he believed, three parishes, which were placed under the authority of the Bishop of London. For these reasons, then, and after the most careful review which could be taken of the subject, he felt confident it would appear that no improvement could be effected upon the present system of letting the Crown-lands. And as to the idea that had been broached, of selling them, it was too preposterous to demand a serious refutation. As to what had been said relative to the expenditure of those revenues, he was prepared to admit that something like a plausible case had been made out, though far short of the extent for which the hon. Member contended. A general impression had gone abroad that abuses had crept into the expenditure in consequence of the amount of revenue not being carried to the Consolidated Fund. Parliament had always been made acquainted with the application of that revenue, and sanctioned every disbursement of it. An hon. Member had threatened his Majesty's Government with impeachment, in consequence of the expenditure of 400,000*l.* or 500,000*l.* on Buckingham Palace, and they would have deserved that impeachment had they been guilty of that expenditure without the sanction of Parliament; but in each instance in which any sums had been so expended, the approbation of that House had been obtained. Of the improvements which had been effected in the Strand it would be unnecessary for him to say anything. He confessed he thought that much obloquy would be avoided if the money, instead of being appropriated as heretofore, were carried over to the Consolidated Fund, after deducting the expenses of management. There were of necessity greater expenses attendant upon that branch of the public revenue than upon any other; it was a matter of notoriety that the greatness, dignity, and splendor of the Throne required that the royal parks, palaces, and domains should be kept up in a style not unworthy a great monarchy; those very parks were not only of importance in that point of view, but such of them as were near the metropolis were highly conducive to the accommodation of the public, and were, in consequence of that accommodation, sources of great expense in the maintenance of their lodges, roads, bridges, gates, &c.; these involved a considerable amount of expense, specially recognised in the Civil List Acts, in the same manner as the expenses of the buildings were. Now, he thought it would be highly desirable if a new arrangement were adopted. The expenses of ordinary repairs of the Houses of Parliament, and other buildings, were annually estimated at 40,000*l.*—those not coming under the head of ordinary expenses were otherwise provided for—thus might be instanced the repairs of the Banqueting-house. Why not apply the same rule to the objects upon which the revenue now under consideration was usually devoted? The rule need not be enforced with too much strictness; but a certain sum might be set apart for the largest class of the expenses in question. If he might take the liberty of offering any advice to the Chancellor of the Exchequer, it would be, that he should have an estimate formed annually, and that the requisite sum should be set apart from those revenues, and placed under the control of the Treasury and the House, so that nothing should be wanted for any purpose essential to the dignity and the splendor of the Crown. Were that alteration made, he believed he might assert that the system would be as perfect as any such system was capable of being made. Amongst the numerous inconsistencies and blunders into which the hon. members for Colchester and Montrose had fallen, they had advocated the sale of all Crown-lands—

Mr. *D. W. Harvey* said, he had advocated no such thing.

Mr. *Huskisson* resumed: At least the hon. member for Montrose said so; but nobody acquainted with the circumstances affecting the various royal forests was ignorant, that in a great number of instances the Crown did not possess the right to the soil, and that Parliament was not entitled to take any steps with reference to the matter, otherwise than at the suggestion of the Ministers of the Crown. Both the hon. Members had fallen into an inconceivable blunder when they talked of selling the waste parts of the royal forests at the rate of 5*l*. an acre. He admitted that there were a great many thousand acres of land in the royal forests; and the hon. member for Colchester had referred to Epping-forest as an example. The hon. Member ought to have been better informed in respect to this forest at least. What right had the Crown to sell Epping-forest, or the New-forest, or Dean-forest? The soil was not in the Crown. All the right possessed by the Crown in those forests consisted of the right of herbage for deer; the Crown had not the right of timber nor of pasturage. So in the New-forest; the right of the Crown was to enclose periodically 6,000 acres out of 90,000, which 6,000 acres were to be dissevered from the pasturage for the growth of timber. The right of the Crown in the great forest of Sherwood was the right of deer, and there was not a single deer in it; so that the right was worth no more than waste paper. The effects of acting upon such a suggestion were shown in Windsor-forest, part of which had been disafforested, and cut up into squares; but the sale had not paid the expenses, much less compensated for the rights which had been extinguished; the proceeds had not paid for the fences and other costs of enclosure. If the other forests were disafforested in the same way, the same consequences would ensue. It was therefore much better to leave things as they were; and there would then soon be not less than 400,000 acres of fine full-grown timber, which, in time of necessity, would be a valuable advantage to the country.

Sir *John Sebright* only rose to complain that the passage from Waterloo-place into the Park was not to be kept open. He had no wish to enter into the discussion of the general question then before the House, but he was most desirous to obtain an assurance from Ministers that there should be a footway preserved from Pall Mall into St. James's park. He attached indeed great importance to this subject, because he thought that the convenience of large numbers of the community was always a matter of importance. After expending hundreds of thousands of pounds on ridiculous buildings at the end of the Parks, he considered that it would be very hard if the public were to be denied this great convenience. Regent-street had become a great thoroughfare, which ought therefore to be continued right across the Park. The expense of making a footway would be a mere trifle.

Mr. *W. Smith* said, that he believed the public would not be satisfied if they were deprived of the accommodation referred to by the hon. Baronet. The only extenuation of the neglect which he thought visible in that point was, that it showed an impartial disregard to the convenience of the higher as well as the lower orders; for there was perhaps not a single Member of either House who would not find that path a convenience; unless some explanation were given, or unless the way were made, he would certainly move for information to ascertain by whose direction and for what purpose the public wishes were opposed. With respect to the important Question brought before the House by the hon. member for Colchester, he must say that he thought the defence of the Government made by the right hon. the member for Liverpool was satisfactory, and he was glad to hear him express such liberal views as to the mode in which the forests ought to be managed. With respect to the Duke of Portland's case, of which he had frequently heard, that he thought was most satisfactorily explained; on the whole, however, the right hon. Gentleman's speech made for the inquiry rather than against it, and in his own view, as a committee cost little or nothing, he thought one ought to be appointed to discharge all persons connected with the Woods and Forests from blame, and to fix it where blame was justly due. A committee might also ascertain that the present mode of applying the money received from this source was not the most advantageous, and might recommend an alteration in this respect. He had no hostility to Ministers, he believed that they wished to economise the public resources, and thinking that a committee might rather serve than thwart that object, he should give his vote for the Motion.

Mr. *Ridley Colborne* said, that he had last year asked a question about the passage into the Park from Waterloo-place, and about a new opening into Kensington Gardens; and he had received such an answer as satisfied him and his friends around him that both openings would be made. Considering that they would be advantageous to the public, he hoped that the resolution would be carried into effect.

The *Solicitor-General* contended, that the hon. member for Colchester had misunderstood the meaning of the statute of Queen Anne, which he seemed to think vested the whole property of the Crown-lands in the public, and gave the Parliament a right to dispose of them, so that his object in moving for a committee was to obtain a recommendation to sell the Crown property.

Mr. *Harvey* said, No.

The *Solicitor General* said, the honourable Member had carefully enumerated how much each part of the Crown property would fetch, whence it might be fairly inferred, that he meant to sell it. In fact, however, the Act of Anne did not confer upon Parliament the right of disposing of the Crown property, or of the Church-livings in the gift of the Crown, any more than it gave the power of revising private property, or the adowsons possessed by individuals. That Statute did not divest the Crown of the property; it said that the Land-revenue should go in aid of the honour and dignity of the Crown, and forbad the alienation of lands, or the granting leases beyond a certain period. It was not until the statute of George 3rd, regulating the Civil List, that the revenue of the Crown all went to the Consolidated Fund; and that Statute contained, in the strongest language, a declaration that it was meant to preserve to the Crown its powers and privileges over its Lands only; their rents were to form a part of the royal provision. The Civil List Acts expressly recognised the principle, that on the death of the reigning Monarch, the powers and privileges of the Crown over its lands, and hereditary revenue, were to remain the same as ever. Under the present management of the Revenue, splendid streets had been built, that would never otherwise have been in existence, and it had been so ably managed, that in a short time the hereditary revenue would be sufficient to maintain the dignity of Royalty.

Mr. *Harvey* said, in reply, that the hon. and learned Gentleman had supplied him with an argument in favour of a committee, of which he was not before aware, for the hon. and learned Gentleman had raised a doubt whether the property were not absolutely vested in the Crown. He would not enter into that discussion, but it was time, if that were the case, that the public should be disabused of the error of supposing that this revenue was as much under the control of Parliament as the Excise or the Customs. He was particularly surprised at what had fallen from the hon. and learned Gentleman, though he had been surprised at many things he had heard that night,—for that hon. and learned Gentleman had a few nights before expressed an opinion, that the revenue of the Crown-lands might be improved, and now he spoke of the management of them as quite perfect. There was one point on which he was certainly in error. He spoke of the Crown-lands soon maintaining the dignity of Royalty; but the most valuable part of them, that in the neighbourhood of all the improvements to which he alluded, had within ten years been let on lease for ninety-nine years, and till the expiration of the leases, would yield nothing more than at present to the Crown. His only object in moving for the committee, and he did not care how it was attained, was, to make the Land Revenues of the Crown available to the service of the country. The right hon. member for Liverpool seemed to be in error in the construction he put on the Act of 1794, for it said nothing about letting at a rack rent, with an abatement of five per cent to the tenant in possession. He found among those who had hired Crown property since 1794, the names of the Duke of Richmond, of the Marquis of Exeter, Lords Fife, Westmorland, Balcarras, Cholmondeley, and many others, which must satisfy the House that this property had not been let at very high rents, and that he had not spoken at random on that point. It was said, that since 1794 the sales of this property had always been public; but it was a mockery to call them public, for the reserved bidding which was always kept might be turned to the advantage of any person the commissioners desired to favour. It was certainly true, that he had applied for an estate on one occasion, and he had as good a right to do so, making his offer publicly, and purchasing in the open market, as those who bought large tracts of land in private for thousands of pounds under their value. There were no persons, out of forty-one tenants of the Rosedale estate, who would not have purchased their holdings, but the noble Lord said he would not divide it. Why not? when by that means it would sell to most advantage. He was ready to rest his Motion on one fact. It was said that this branch of the public Revenue was not to be subjected to the inquiries of the Finance Committee; but he was sure that no Gentleman who voted for that committee supposed for one moment that these revenues were to be excluded from its inquiries. If, then, those who voted for that committee thought these revenues were to fall under its notice, and if that committee had not continued long enough to go into the subject, he did not see how those Gentlemen who voted for that committee could now vote against his Motion. Ministers and hon. Members assumed, however, that they were individually attacked by such a Motion, and they made angry speeches, and fierce retorts, and replied in bitter invectives. The Administration was so extremely sensitive, that no inquiry or reform could be proposed which its armed phalanx did not immediately resist as an attack on individual honour. He, however, had made no attacks on individuals, and there was no necessity for that sort of vindication. All he wanted was inquiry; the country demanded inquiry; no man knew what the Crown-lands were worth, and therefore if the House performed its duty, it would grant the inquiry.

The House divided; For the Motion 46; Against it 98; Majority 52.

List of the Minority.

Althorp, Lord
Baring, W. B.
Beaumont, T. W.
Benett, John
Bentinck, Lord Geo.
Birch, Joseph
Bernal, R.
Brownlow, C.
Colborne, Ridley
Davies, Colonel T.
Dawson, Alex.
Ducane, P.
Dundas, Sir G.
Dundas, Thomas
Euston, Lord
Fergusson, Gen. Sir R.
Gordon, R.
Graham, Sir J.
Guise, Sir B.
Honywood, W. P.
Howard, Henry
Jephson, Chas. D. O.
Knight, Robert
Lamb, Hon. George
Lambert, J. S.
Lennard, Thomas B.
Lumley J. S.
Martin, J.
Macdonald, Sir James
Monck, J. B.
Morpeth, Viscount
Palmer, C. F.
Pendarvis, E. W.
Poyntz, W. S.
Price, Sir Robert
Protheroe, Edward
Pusey, Phillip
Rickford, Wm.
Sebright, Sir J.
Smith, W.
Townshend, Lord C.
Waithman, Alderman
Warburton, Henry
Whitmore, W. W.
Wilson, Sir R.
Wood, Alderman

TELLERS.

Harvey, D. W.
Hume, Joseph

PAIRED OFF.

Burdett, Sir Francis
Denison, W. J.
Davenport, Edw.
Ebrington, Lord
Howick, Lord
Osborne, Lord F.
Hobhouse, J. C.
Marjoribanks, S.
Baring, F.
Rumbold, W.
Lloyd, Sir E.
Rowley, Sir W.
Russell, Lord John
Robinson, Sir G.
Thomson, C. P.
Wood, Charles

IRISH CONSTABULARY.] Lord *Francis Leveson Gower* rose to move for leave to bring in a Bill to amend the Acts relating to the appointment of Constables in Ireland. The noble Lord stated, that the principal provision of his Bill was to take away from the local Magistracy the appointment of Constables, and to vest that appointment in the Government of Ireland. He meant by making that alteration to cast no imputation on the Irish Magistracy; but it was found necessary to take the first nomination of constables out of its hands, and place it in those of the executive Government. He should propose, therefore, that in future this appointment should vest in the Government, and he should also propose that a new class of officers, to be called sub-inspectors, should be appointed. The object of appointing those officers was, to ensure a more ready and efficient superintendence over the constabulary force than at present, and as their duties would be both arduous and confidential, he proposed to give them one-half more pay than was given to the chief constables. He proposed also by the new regulations to provide for the more speedy assembling this force in any given spot which was sometimes necessary to check and overawe the tumultuary meetings of the peasantry: while there was such a force, there could be no good reason why it should not be made as efficient as possible. He meant also to introduce into the Bill a clause to make a provision for those who might be disabled in the service, or whose conduct merited some particular reward. In many cases the police had half the fines levied in cases of violations of the law, and out of this sum the Government was sometimes able to reward certain services; but it was found that giving these rewards to the police officers made the peasantry look on them with ill will, and therefore it was desirable to reward them by some other means. These arrangements, however, would be met by reductions in the force, which would prevent it on the whole, from causing any additional expense to the country. The economy proposed would spare several thousand pounds, while the expense for the salaries of the sub-inspectors would not amount to more than 1,400*l.* He ought to observe that the new appointments were to be made only in those districts where they were necessary. He meant also to propose a clause to enable the Government to give a retired allowance to persons whom it might be necessary to discharge in order to facilitate the reduction of useless hands. The Government was not pledged to keep up the establishment, yet it could not be denied that many of the officers looked on their situation as permanent, and it was to meet their views that he should propose that the Government might, on dismissing them, be enabled to give them one year's salary. The noble Lord concluded by moving for leave to bring in the Bill.

Mr. *Spring Rice* expressed some alarm at the proposition of his noble friend, and though he was thoroughly persuaded of his good intentions towards Ireland, he could not look without apprehensions at a measure that was to take away from the local magistracy, and place in the hands of the Government the appointment of between 4,000 and 5,000 persons, distributed over every part of the country. The establishment cost upward of 200,000*l.* annually, paid out of the public Exchequer, besides the local expenses, and he did not see why a greater part of that charge than at present should not be defrayed out of the local funds belonging to the places where the force was stationed. He knew that the expense was to be diminished because the tranquillity of Ireland was improved, but he thought, at the same time, that the expense should be wholly defrayed by local funds, and the appointments wholly placed in the hands of the local magistracy. He did not think it politic to say by Act of Parliament that the local magistracy of Ireland was not to be trusted. His noble friend disclaimed any intention of casting imputation on them, but such would be the effect of his measure, when leisure was afforded to discuss the subject, and he hoped that his noble friend would select a clear day for the discussion; he wished to give him notice that he should come prepared to shew that where the authority of the local magistrates was most complete the conduct of the police had been best, and that where the authority of Government had interfered, the abuses had been greatest. At that late hour, however, he would not enter into details; he would only say that he had a constitutional objection to the measure, and that he desired to see the expenditure not only reduced but also equalized.

Mr. *Jephson* said, he was anxious that the constabulary force should be improved, but he regretted to see the disposition of the Government to deprive the magistracy of Ireland of its legitimate influence, nor did he think the substitution of the police constable for the magistrate, as the medium through which the Government was to obtain information of the state of the country, would be advantageous. He knew that the constable at Mallow was directed to send communications to the government without consulting the magistracy, and on one occasion he had made such a communication which might have been attended with injurious consequences. That town was one of the most quiet towns in Ireland, but the constable, taking all his information from a disappointed Orangeman, represented it as agitated by party spirit and in a disturbed state. If, therefore, the noble Lord meant to rely for information as to the state of Ireland on his constabulary agents, he would find that the government would be frequently deceived, for if the constables themselves did not share the feelings of the people, they were led astray by their representations. As he hoped that a full opportunity would be given to examine and discuss the Bill, he would not then enter further into the subject, but only recommend the noble Lord to make the punishment of neglect of duty on the part of the constables somewhat more severe than a penalty of five pounds.

Mr. *Trant* was so much opposed to the principle of the measure, that he was inclined to object *in limine* to its introduction. He saw in it a part of a settled scheme on the part of the Government to take into its own keeping, and under its own control, the police, not only of Ireland, but of England, and not only the police but every part of the constitution of the country. Inroads were every day making on that Constitution, and he gave the noble Lord notice that he would oppose the Bill in all its future stages. He hoped the Members would resist the permanent establishment of such an unconstitutional force. The people of Europe were generally struggling to get rid of the constraints of a police; and was that a time for the House of Commons to sanction the extension of so odious a principle and practice in the British empire. When the Bill came before the House at a more advanced stage he hoped that it would be suppressed, and nothing but that hope made him forbear, even on that occasion, from resisting the Motion by something more strong than a mere declaration of opinion. He warned the House that measures of that description would go far towards extinguishing the liberties of England.

Mr. *Robert Gordon* expressed his satisfaction at hearing such sound constitutional doctrines from his hon. friend. He too looked on this Bill, and the bill relating to the importation of arms into Ireland, with considerable alarm. He thought there was in both the measures an indication that the Government was apprehensive for the continuance of tranquillity in Ireland. Unless the Bill were supported by some stronger reasons than had yet been urged in its favour, the noble Lord would certainly find it difficult to procure the assent of the House to it. In reference to the police of London, it was necessary to observe, that the expenses of it were wholly provided for by the different parishes; while in Ireland half the expense was paid out of the public purse. Notwithstanding what the noble Lord said of reductions, he was apprehensive that the Bill would entail additional expense on the country, which would certainly make him oppose it. Each parish in Ireland ought to pay its own officers, and he must protest against the local force of that country being paid out of the public purse.

Mr. *Chichester* inquired, if the sub-inspectors were to be substituted for the pay-clerks; and if they were to give security for the performance of their duties?

The *Chancellor of the Exchequer* deprecated further discussion at that late hour, but he was obliged to remark, that the appointment of sub-inspectors would cause no additional expense whatever, and therefore the objections on that score were groundless. As to the force being unconstitutional, he could only say that an objection of that nature was urged when it was first established; but whether unconstitutional or not, it had been productive of much good. His hon. friend would perhaps consider that well before he acted on his determination to oppose the Bill.

Mr. *Alexander Dawson* was bound to express his conviction, that as long as the appointment of constables was left in the hands of magistrates, who had always servants to provide for, improper persons would be appointed. He approved therefore of the Government taking the responsibility on itself.

Mr. *George Dawson* said, he was sure that the proposed alteration would be very beneficial to Ireland. The constabulary force was rendered in a measure inefficient by the present mode of appointing constables, which left the way open to party feelings and to much corruption. As to the expense, he was not prepared to say that it should not be wholly borne by the parishes of Ireland, in the same manner as the local police was supported by the parishes of England. At present he knew that no expense was more unpopular in Ireland than that of the constabulary force, but if the Grand Juries were invested with the power of controlling that expense, they would be less repugnant to increasing it. At present the law said, that there should be sixteen constables for each Barony, and this number, though in some places perhaps totally unnecessary, the Grand Jury had no power to reduce. He was surprised at the observations of the hon. Member for Dover (Mr. Trant) who last year, though now he objected even to the police, was for applying the Insurrection Act to the whole of Ireland; and was quite willing to place every man under martial law. Though the Government were not to have that hon. Member's support, he congratulated him on his altered tone; and on his readiness to adopt a milder and more constitutional government for Ireland than that of the Insurrection Act.

Mr. *Trant* had never objected to the constabulary force, but to the Government taking the control of it from the local magistracy, and assuming it all into its own hands. As to his opinions, they remained unchanged, and he opposed the present measure on the same grounds as he had opposed the measure of last year, looking on them both as tending to subvert the Constitution.

Leave given to bring in the Bill.

HOUSE OF LORDS,

Wednesday, March 31.

Minutes.] Petitions Presented. By Lord Dundas, from Guisborough, in Yorkshire, praying for a Revision of the Penal Law:—By Lord King, from the Unitarians of Chichester, praying for an Alteration in the Marriage Laws:—By the Duke of Montrose, from the Gorbals of Glasgow, praying for the Opening of the Trade to China:—By Lord Wharncliffe to the same effect, from Birstal, Holbeck, Horbury, and Checkheaton clothing districts of the County of York.

The Indemnity Bill, and the County Palatine of Durham Bill were read a third time, and passed.

Returns Presented. Account of the Orphans Fund, and other Annual Accounts, from the Chamber of London.

Tithes.] Lord *Suffield* presented a Petition from the Hundred of Diss, in the county of Norfolk, praying for an alteration in the mode of the payment of the Clergy by Tithes. The whole of the Petition, his Lordship stated, was well worthy their Lordships' attention; but the petitioners stated in general that the present mode of paying the Clergy by Tithes was injurious to religion, and contrary to sound policy. It was injurious to religion on account of the irritation frequently occasioned by it between the incumbent and the parishioners; and it was contrary to sound policy, because it had a tendency to prevent improvement and the extension of agriculture, and so far to lessen the means of employment for the labourer. It was a cause of injustice also; for a farmer might be disposed to lay out some capital in the improvement of land, in the hope that it would yield him a profit after the payment of the Tithe, but it might turn out that the gain would be but barely sufficient to pay the Tithe, and thus the clergyman would get the whole of the profit of the farmer's capital, and the farmer of course would have nothing. He did not understand these petitioners to pray for anything injurious to the Established Church of England; if they had prayed for any object of that description, he would have been the last man to advocate their views, although he might present their petition, if respectfully worded.

Ordered to lie on the Table.

HOUSE OF COMMONS,

Wednesday, March 31.

Minutes.] A New Writ was moved for a Burgess to serve in Parliament for the Borough of Dorchester, in the room of the Hon. A. W. Ashley Cooper, who had accepted the Office of Steward of East Hendred.

Petitions Presented. By Mr. Burrell, from Brighton respecting the Duties on Beer. By Lord Francis Osborne, from the Merchants and other Inhabitants of Wisbeach, praying that the Severity of the Criminal Code might be mitigated.

Accounts Presented. Annual Accounts from the Chamber of London.

Lord Ellenborough's Divorce Bill.] The House resolved itself into a Committee. Counsel appeared at the Bar in support of the Bill, and several witnesses were examined to prove its allegations.

After the examination had gone on for a considerable time

Mr. *Hume* rose to move its adjournment. The Chairman, he said, ought to report progress, and ask leave to sit another day. He did not think any advantage would arise from continuing the examinations at that hour.

Sir *H. Hardinge* objected to that course. This was the first divorce case ever so sifted by that House. Lord Ellenborough, however, would have no objection to the case being minutely investigated.

Mr. *R. Gordon* supported Mr. Hume's Motion for an adjournment. The House really was too thin to proceed with the examinations at present.

Sir *H. Hardinge* proposed, that Miss Steele's examination should be taken. That lady was a witness of undoubted respectability, and he should wish her evidence to be taken at that time. He had every desire that the case should be gone into most fully; for the more it was examined, the more, he was convinced, it would appear that Lord Ellenborough was entitled to the relief he now prayed at the hands of the House. If Miss Steele's examination were taken then, he believed it would close the case for the Bill; and he thought it ought to be taken, not only for that reason, but because that lady had been in attendance some time, and if examined now, need not be put to further inconvenience.

Mr. *Hume* opposed proceeding any further at that time. He could assure the House, that when he first came there it was not his intention to ask a single question, nor had he done so until the apparent, the evident contradictions in the testimony of the witnesses were so great as to induce in his mind a suspicion of connivance. He really had never read the evidence that had before been given, and he should not have interfered at all, but for the cause he had stated. He wanted to know what evidence had been given, for he really had not as yet read anything of it? It seemed from what he had heard to-night, that all the servants knew of these occurrences for some months; in fact, that they had been the topics of common conversation in the family. Now, he wanted to know what the servants that had been examined had said, and whether more servants could not be called to explain all they knew about the matter? He had hoped to-day to have been home by five o'clock, but he had been kept here about this business until that hour; and now he was obliged to go away, for he had a very pressing engagement.

Sir *H. Hardinge* pressed the hon. Members to go through the examination of Miss Steele. There were several Members present, and among them some members of the profession of the law, quite competent to conduct the examination.

Mr. *Hume* said, there were not forty Members in the House, and he did not think, with such a thin attendance, they ought to go into the examination of witnesses, some of whom it was evident had received bribes, and their testimony was therefore suspicious.

Sir *H. Hardinge* said, that the fact that a witness had received bribes did not of itself vitiate his evidence.

Mr. Alderman *Wood* observed, that surely the gallant Officer did not mean to say that the evidence of such persons was worthy of belief.

Mr. *Gordon* again observed on the very thin attendance of Members, and said that Wednesday was rather an awkward day to fix for such an examination.

[Mr. Hume and Sir C. Wetherell left the House.]

Sir *H. Hardinge* then observed, that if Members who had taken an active part in the examination absented themselves, it was impossible to go on. He repeated that he wished the case to be most fully investigated, satisfied as he was, that the result would be favourable to the Bill; but after the hon. Member for Montrose and the hon. and learned Member had withdrawn, he felt he could not conveniently press the examination further.

The further hearing of the case postponed to the next day.

HOUSE OF LORDS,

Thursday, April 1.

Minutes.] Returns Presented. Account of the weekly amount of Wheat purchased in the Markets of Liverpool and Manchester; with weekly Returns of Wheat from Lancaster, Preston, Wigan, and Warrington. Account of the number of Vessels which had passed the Sound during 1829.

Lord Stanley, General Gascoyne, Sir T. Acland, and Mr. Bastard, brought up a Bill for amending the Liverpool Harbour and Docks, together with several other Private Bills, to which the House of Commons had agreed; all of which were read a first time.

Petitions Presented. By the Earl of Derby, from the Owners of Victualling Houses in Great and Little Bolton, Lancashire against any alteration in the Licensing System. By the same noble Lord, from the Protestant Dissenters of Hanover-street Chapel, Pall-mall Chapel, Cockspur-street Chapel, and twenty other Meeting-house Congregations in Liverpool, praying for the abolition of Burning of Widows in India, and other unchristian practices—By the Bishop of Chester, similar Petitions from Congregations of Dissenters at Rochdale and Bretherton. By Lord King, against the Corn Laws, from the inhabitants of Kidderminster. By Earl Gower, from Newcastle-under-Lyme. and other places in Staffordshire, praying that the Trade to China, might be thrown open. By the same noble Lord, from Shelton, Burslem, and other places, for the abolition of Slavery. And by Lord Holland, from Protestant Dissenting Congregations at Over-Darwen, Lancashire, against the Burning of Hindoo Widows; and also for throwing open the Trade to China.—Referred to the Committee on East-Indian affairs.

Returns Ordered. On the Motion of the Earl of Malmesbury, of Commitments and Criminal Convictions, in the different counties of Ireland during the last seven years; and also of the different counties of Scotland.

Administration of Justice.] Lord *King* said, he had been intrusted with a Petition respecting the Administration of Justice in this country, which for several reasons was entitled to an attentive and serious consideration. It was most numerously signed, and by persons of the highest respectability, resident in the metropolis. Amongst the signatures would be found that of the most eminent lawyer at the Irish bar, (Mr. O'Connell) and the petition, he was given to understand, had been drawn up by the celebrated author of the "Fragment on Government," and of the "Defence of Usury," (Mr. Jeremy Bentham), whose knowledge of jurisprudence was so eminently conspicuous in his writings. The terms in which this document was couched, furnished abundant internal evidence of its literary parentage, as the style which distinguished the writer's former productions was discoverable throughout. It set forth, that the petitioners, when they sought for information concerning the legal Administration of Justice in England, were referred to the Statute Law and the Common Law as the sources to which they should look for wherewithal to satisfy there inquiry. They found, however, on examination, that the Statute Law covered more letter-press than it was possible to lift, and that the Common Law was sufficient to fill libraries not capable of being contained within that House. The noble Lord concluded with expressing his own opinion, that a proper division of labour in the Administration of Justice, would be found to produce as beneficial a result as the adoption of the principle had already effected in the mechanical arts and manufactures; the facilities which it afforded in the interesting process of pin-making sufficiently attested the practical advantages which would generally accrue from a division of labour.

Petition laid on the Table.

IRELAND.—DUTY ON COALS.] The Marquis of *Anglesey* said, he should solicit the attention of the House, and of his Majesty's Ministers more particularly, to a Petition which he had the honour to present from the inhabitants of the parish of St. Catherine, Dublin, signed by 111 Merchants, Manufacturers, and Traders of that City, praying for a remission of the duty on Coals imported into Ireland. That such a petition should have been intrusted to him was matter of regret, as he could not, without pain to himself, and without risk of his health, address their Lordships at any length upon the subject, whereas other noble Lords would have been more efficient in its advocacy, although none could be more sincere in zeal. It ought to be recollected that Ireland had not the advantage of those inexhaustible collieries which this country enjoyed, as the ablest engineers had given it as their opinion that in Ireland, though not destitute of Coals, the Coal-mines were scarce, and that the fuel which they produced was of bad quality, and for the most part unfit for consumption. With the knowledge of this fact ever before them, it appeared to him to be their duty in point of policy alone, to give every encouragement to the importation of Coal from Great Britain into Ireland. It would be in the highest degree advantageous to themselves that a material should thus be transferred to that country, which would furnish the means of employment to its idle population. Of the Irish people he would venture from experience to assert, that a more industrious or ingenious race, who were anxious to obtain honest bread by the sweat of their brow, was not to be found under the sun. There was no measure for the remission of this tax, he believed, at present under the consideration of Government: but he could not conceive what possible objection could be suggested, except only the reduction of the Revenue to the extent to which this tax had increased it. But the repeal of the duty he had no doubt would create, even within a single year, such a stimulus to the manufacturing interest of the country, that all the advantage so lost would be recovered. The amount of the tax on the importation of Coal was but 50,000*l.*, and a substitute for that sum could be very easily procured. He would propose one which he had turned in his own mind, and was satisfied that it might be adopted without inconvenience. They could make a reduction to that amount from the public payment made for the constabulary force, and fix it on the counties, which would be responsible for their respective proportions to supply the deficiency of the Revenue, which would be occasioned by abolishing the duty on Coals. He moreover felt assured, from the manner in which the people had gone on since the bestowal of the great boon which had been last year conferred on them, that the counties would not long have to endure this additional burthen, as the constabulary force might very soon be considerably reduced. Great as that boon was on all hands admitted to have been, it was impossible that it could have done all for Ireland which the circumstances of Ireland required. It certainly appeared that the interests of their Irish fellow-subjects had been entirely overlooked throughout the whole of those arrangements which a Minister of the Crown had lately announced in another place. By the reductions proposed, Ireland would benefit only to the amount of the 50,000*l.* annually which the repeal of the Leather duty remitted, while there was an increase of duty on Spirits of not less than 150,000*l.*; and an additional tax was likewise imposed upon Stamps; so that whilst this country, in consideration of its distresses, was relieved to the amount of 3,500,000*l*, the people of Ireland were told that their burthens, which aggrieved them but too much before, were to be increased by 100,000*l.* annually. The present Petition was the first which had been brought before the Legislature, but he had reason to believe that many of a similar nature were in preparation. Of this he was most certain—the boon prayed for, if conferred, would be received with the gratitude which constituted a proverbial characteristic of the people.

Petition read and laid on the Table.

Tithes.] The Marquis of *Anglesey*, presented a Petition from certain landowners in Wexford, against the present Tithe-system, as it existed in Ireland. The Petitioners complained of the hardship of being compelled to pay the ministers of a Church with which they had no connection, and from which they derived no benefit. The Tithe-system in Ireland was of no use, as the petitioners thought, except to enable the Clergy of the Established Church to wallow in wealth, luxury, and extravagance, inconsistent with their Christian profession. The system, as it operated in Ireland, had also a most mischievous effect on the morals of the people, for it was the source of many assassinations and other crimes.

The Petition laid on the Table.

Distress.] The *Bishop of Bath and Wells* presented a Petition from Shepton Mallet, complaining of Distress, and praying for Relief. The right rev. Prelate supported the prayer of the Petition, and vouched for the correctness of its statements. By every principle of humanity and justice that House was bound, he said, to institute an inquiry into the causes of the distress, for the legislature should treat the people as a father would treat his children. Sound policy also demanded it, for by doing so, the legislature would earn the gratitude of the people. It was impossible for any language of his to do justice to the heroic fortitude with which they had submitted to their distress; uttering no sound of complaint, and being guilty of no breach of the law. Their conduct strengthened their claims to be heard, and he could not conceive it possible that an inquiry by their Lordships should not lead to some means of giving them relief. Such a supposition was a satire upon legislature. He had, on a former occasion, presented a similar petition to their Lordships, and had accompanied it by a statement of the distress which existed in his own immediate neighbourhood, and sorry he was to observe, that there the distress was unabated. He felt it his duty to be on the spot, to do what an individual could to relieve the distress; but he must say, it required a more powerful arm than his.

Petition laid on the Table.

Earl *Beauchamp* presented a Petition from Worcester, signed by 2,800 persons, complaining of Distress, and praying for a revision of the Currency, and Parliamentary Reform.

Earl *Stanhope* bore testimony to the general existence of the distress complained of, and read extracts from a letter, which, he said, was written by one of the cleverest men he was acquainted with, to justify his opinion. One-third of the unentailed estates in Scotland, he was informed, might be found in the market; and Scotland, instead of being prosperous, as had been stated, was in great distress. The people about Glasgow, he was informed, were living chiefly on provisions imported from Ireland; and on a line of road near Berwick, there were several estates unoccupied. The distress at Leeds had been denied in the teeth of a petition signed by 50,000 persons; and the writer of the letter informed him, that the statements of that petition were too true. The increase of Tolls, which had been quoted in another place as a sign of prosperity, had no foundation; in fact, during the last four years the Tolls in the neighbourhood of Birmingham had decreased from 3,990*l.* to 2,809*l.* The increase which had been referred to of licensed traders, was also a proof of distress; for people who could not live by their usual business took out licenses to sell tea and tobacco, in the hopes of eking out their scanty means of subsistence. As to Birmingham not being distressed, the number of paupers who received relief in January 1829, was 2,103, and in January last, 3,276, being an increase of 1,173.

Much of this distress was undoubtedly owing to the want of protection, by which the English artizan was exposed to foreign competition. He had never attributed, however, the distress of the country to Free Trade exclusively: it resulted, he had no doubt, from a combination of causes, of which the Currency appeared to him the principal cause, judging as he did from the universality of depression which had existed since the operation of the bill of 1819. The noble Earl then took a brief review of the state of the currency between 1774 and Mr. Peel's bill of 1819, contending that before that measure was passed, silver was always the standard of value, and that that measure was founded in delusion; that none of those who were advocates for a return to a metallic currency had contemplated that it would occasion a depression of more than four or five per cent in prices; that Mr. Ricardo had stated, that if the return to a metallic currency should produce a depression of twelve per cent, the attempt would be one of great peril; but if he could contemplate such a reduction as twenty-five per cent, from a return to a metallic currency, he should consider the attempt an act of insanity. The noble Earl, after pointing out a variety of ways by which the defects of the present system might be remedied, the principal of which were making silver at its present standard a legal tender to any amount, and allowing the issue of a small-note circulation by licensed bankers, they giving security either in land or bullion for the amount of paper issued, proceeded to state, that in France, in Austria, and Prussia, the governments had given encouragement to paper issues, by which great benefit had been derived to those countries. In France, a bank on the Scotch principle had been established, which issued notes for 20-francs; and in Prussia the government had issued notes of the value of 5*s*. These measures had been productive of great benefit, and nothing, he contended, could relieve the distress of this country but some similar measures. He hoped that their Lordships would have an opportunity at no distant day of discussing the currency question at length, for it was impossible that it could be suffered to rest. His Lordship moved that the Petition be laid on the Table.

The Marquis of *Bute* denied that distress existed so generally in the country as the noble Earl (Stanhope) seemed to believe. There was distress he admitted, but neither so severe nor so general as was said; and wherever he went he heard from every one who spoke of the state of the country, that "the worst was past." With respect to Scotland, he could state, from his own knowledge, that the condition of the labouring poor was not so bad as many had represented, and he must deny that one-third of the unentailed estates of that country were in the market for sale. He admitted that the number of estates at present offered for sale in Scotland was greater than usual, because land was a better medium of investment there than in England, and a considerable amount of British capital was employed in that way. The reason why so many were in the market together was this,—that those about to become purchasers were advised to wait, to try whether a lower price than at present demanded might not be accepted.

Earl *Stanhope*, in reply, said no doubt land was a better mode of investment in Scotland; but it was not a little singular that, under those circumstances, so large a number of landed proprietors in that country should be anxious to sell their estates. He repeated there was great distress in the country, and in one county (Worcester) there existed great irritation and exasperation amongst the lower orders against the higher, and if some remedy was not found to remove the distress, that exasperation would increase to an extent to be dreaded.

Petition to lie on the Table.

POOR-LAWS (SCOTLAND.)] Lord *Napier* brought in a Bill for the better regulation of the Poor Laws in Scotland. The noble Lord said, as some misunderstanding existed with respect to the object of this Bill, he wished to state, that there was nothing whatever in it subversive of the fundamental principle of the Scotch system of Poor-laws. He had brought in a bill on the subject last Session, but had since remodelled the whole; and introduced a variety of improvements.

Bill read a first time, and to be printed.

HOUSE OF COMMONS,

Thursday, April 1.

MINUTES.] The Tanjore Commissioners' Bill was read a third time and passed. A message from the Lords announced that their Lordships had assented to Catterick Bridge, and Durham Road Bill, and several other Private Bills without Amendment:—On the Motion of the SOLICITOR GENERAL, a Bill for the Relief of Insolvent Debtors was read a first time; ordered to be printed, and read a second time on the 27th of April:—Mr. GEORGE MOORE obtained leave to bring in a Bill to extend to Ireland the provisions of 38 Geo. III., for the due Administration of assets:—Mr. DAWSON brought in a Bill for tranferring the Four per Cent Annuities, which was read a first and second time. The Drainage of Bogs (Ireland) Bill read a second time. A Bill to render more effectual the provisions of divers Acts, for securing to certain Artificers, Workmen, and Labourers, the due payment of their Wages in Money, was brought in and read a first time.* Sir C. WETHERELL gave notice, that if it were proposed to add a Judge to the Court of Chancery, he would move for an inquiry and an examination of witnesses, with a view to ascertain if a necessity did exist for such an appointment.

Returns Presented. By Mr. Secretary PEEL, the Convention of Commerce and Navigation between Great Britain and Austria:—By Mr. G. DAWSON, the correspondence between the Commissioners of Charities, and the Trustees of Morden College.

Returns ordered. On the Motion of Mr. HOME DRUMMOND, of the quantity of Home-made Spirits that paid Duty in England in each of the four years preceding January 5th, 1826, and in each of the four years subsequent to that date:—Of the quantities of Rum which paid Duty during each of the years in the same two periods:—Of the reserved Hereditary Revenues of the Civil Establishment of Scotland in each year, from 10th October, 1821, to 10th October, 1829, with the payments made thereout, distinguishing Pensions:—A Copy of a Report made by the Committee of the Trustees for the encouragement of Manufactures of Scotland, to the Trustees during the last six months, containing a Statement of the establishment and Funds of the Board.

Petitions Presented. By Mr. MARSHALL, from the Tallow Chandlers of Leeds, against the Excise Duties on Tallow. from the Inhabitants of Stanningley and Mirfield, against the Renewal of the East India Charter—Referred to the Committee.

ST. GEORGE'S AND ST. GILES'S SELECT VESTRY BILL.] Lord *J. Russell* brought up the Report of the Committee on this Bill.

On the Question that the Report be agreed to,

Mr. *Hume* moved as an Amendment, that every rate-payer assessed at 15*l.* should have a vote. The Bill, as it then stood, made 30*l.* the *minimum*, and contrary to the principles of Mr. Sturges Bourne's Bill, by that regulation more than one half of the inhabitants of the populous Parishes of St. Giles and St. George were actually disfranchised, though they paid a rental of 30,000*l.* per annum; and he saw no reason why they should be so. He should like to hear on what principles the noble Lord who brought up the report, and who was an advocate of reform so far as the elective franchise was concerned, could justify the regulation by which so large a number of rate-payers should be deprived of their vote at Parish Vestries?

Mr. *Hobhouse* begged leave to second the Amendment, on the ground advanced by his hon. friend, and because he knew that the Parish would never be pacified till the right of voting at Vestry was extended to the majority of the rate-payers. He had presented a petition from those assessed under 30*l.* who would be disfranchised by the present Bill, which was signed by 2,000 inhabitants, and he conceived that they would be very hardly treated unless the Amendment were adopted; the rather, as it was more than probable that the Committee, of which he had the honour of being chairman, would propose a general measure of reform of Select-Vestries.

Sir *T. Fremantle* could not agree with the hon. Members, as the measure in all its bearings had been thoroughly discussed in the committee above stairs. He trusted that the House would refuse to alter the rate fixed upon by that committee. In another part of the Bill it was arranged, that where houses were rated under 30*l.* the landlord, and not the tenant, should be rated; and he, therefore, thought it objectionable that, in favour of these persons, the rate, as now fixed, should be lowered.

Sir *R. Wilson* objected to the principle of the rate fixed by the Bill, as it was an undue attempt to do away with the franchise of a large body of inhabitants. The Select Vestry Committee was to make a Report that night, and he therefore looked upon the present attempt to pass this peculiar Bill, before the general Report was brought up, as an attempt to take an unfair advantage of the ignorance of the House. He was so opposed to the Bill, that he should propose, in the event of his hon. friend's Amendment not being successful, that the Bill should be read that day six months. The Bill was one of so aristocratic and unjust a nature to the poorer rate-payers, that he trusted the House would not sanction it.

Mr. *Ward* would vote for the Bill as it stood, confident that its principles were the most advantageous to the parishes at large. The Bill, at present, was absolutely necessary, because, as the affairs of the parish stood, no rates could be raised to pay the poor, and he believed it to be well calculated also to meet the differences that had so long existed in the parish.

Lord *J. Russell* said, that there had never been an Elective Vestry in these parishes, and therefore the present Bill

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* This is Mr. Littleton's Bill, and it was suffered to be brought in without the Debate on the subject, which stood adjourned to this day, having been resumed. The Motion for leave to bring it in was assented to without any division. —See *ante* p. 461

was a great improvement on what existed before. He could not adopt the recommendation of the hon. member for Montrose, because the question of disfranchisement was, even according to his Amendment, merely one of degree. It was true, that by making 30*l.* the *minimum* rate of voting, many rate-payers would be deprived of the right of voting; but it was equally true that the same objection would exist if 15*l.* were made the *minimum.* If his own feeling had been consulted, he should perhaps have fixed upon a lower rate than 30*l.*, though not so low as that proposed by the hon. member for Montrose; but the question had undergone great debate in the Committee, and 30*l.* was the rate fixed upon by that body; and as Chairman of the Committee, he looked upon himself as bound by that decision.

The House then divided on the Amendment. For it 23; Against it 57;—Majority in favour of the original Bill 34;

Mr. Hume moved that the Bill be read a third time that day six months.

Mr. *Hobhouse* begged leave to suggest to his hon. friend, that as the House would appear to be against the Bill, it might be as well to withdraw his Amendment, and propose another, by which every rate-payer should have but one vote. By the Bill, as it stood, the payer of 30*l.* had one vote, he of 60*l.* two votes, and so on, to four votes; while, according to Mr. S. Bourne's Bill, no elector should have more than one vote when there was a *minimum* rate. Such a regulation would in some degree compensate for depriving 1,856 individuals—the number under 30*l.* assessed—of their vote.

Mr. *Hume* would adopt the suggestion of his hon. friend, and would propose that no voter, be his rate what it might, should have more than one vote under the present Bill.

The Gallery was cleared for a division.

During the absence of strangers from the gallery three divisions took place, the first on the question that 30*l.* be the sum which gave a vote, carried in the affirmative, Ayes 63; Noes 21; the second, on an Amendment that no Voter should have more than three votes, which passed in the negative; and a third, that the Bill be re-committed, for which there appeared —38 Ayes, and 86 Noes—Majority against the re-committal 48.

The Bill ordered to be engrossed and read a third time to-morrow.

Ellenborough Divorce Bill.] The House then resolved itself into a Committee of the whole House, to take into further consideration the Ellenborough Divorce Bill—Sir George Clerk in the Chair. The following witnesses were examined, Miss Margaret Steele, Mr. Freshfield, John King, and Thomas Kaims. After the examination of these witnesses was concluded, and it being understood that no further witnesses would be examined,

Mr. *Hume* said, he supposed that the Chairman would now report progress, and lay the evidence before the House, in order to have it printed. He presumed that after what had taken place, after such contradictions and inconsistencies as had been extorted from the different witnesses, nobody would think of pressing this matter to an immediate decision. For his own part he was so astounded by the inconsistency of the testimony of the different witnesses, not only with the statements of one another, but also with their own statements, that he knew not at present on what part of it he ought to rest. He could not see how far each witness was to be credited or discredited; and therefore, considering the hurried manner in which the evidence had been elicited from the witnesses, and the indistinct and almost inaudible tones in which several of their answers had been given, he submitted that it would be better that the evidence should be printed, with a view of giving, not only those who were present at the examination of the witnesses, but also those who were absent, an opportunity of judging how far the evidence bore out the allegations in the Bill.

The *Chairman* said, that the usual practice in cases of this kind was, to report the Bill as amended to the House, and to bring up the evidence along with it. When that was done, then it was competent for any hon. Member to move, first that the evidence be laid on the Table, and then that it be printed. If the House should be of opinion that the evidence ought to be printed, they must wait till it was printed before a day could be fixed for the third reading of the Bill.

Sir *Henry Hardinge* moved, that the Bill be reported to the House without amendments.

On the Chairman putting this question,

Mr. *Robert Gordon* asked whether there was a clause in the Bill making a provision for Lady Ellenborough?

Sir H. Hardinge answered in the negative.

Dr. *Phillimore* said, that it was not customary to introduce such a clause as that the hon. Member alluded to.

Mr. *Hume* said, that if he had made up his mind on the various points which were suggested by the evidence which had arisen in the course of this investigation, he might be inclined to make no objection to this Motion. But he begged leave to remind the Committee, that it was competent for them to strike out of this Bill the clause giving the relief which the noble individual prayed for. He thought that it was necessary to report progress, in order to get the evidence printed. Any other course would be like stealing a stage in the progress of the Bill.

Sir *H. Hardinge* came forward to the Table with great warmth, and striking it forcibly, expressed his surprise at hearing any hon. Member talk about stages in a bill of this description. To use any unnecessary delay in passing this Bill, after it had been sifted in so unusual—he might almost say, in so unprecedented—a way, would be hurting the feelings and trifling with the honour of both the noble families who were interested in its progress. He did not mean to blame the course which the examination had taken: he was highly satisfied with the part which the relatives of Lady Ellenborough had taken in the course of it: but still, recollecting the peculiar constitution of that House, its popular construction, and its incompetency to examine witnesses upon oath, he was convinced that it was not proper to let a Bill like the present hang in its progress through it. They ought, therefore, to report this Bill without amendment to the House: and if there was any part of it to which the hon. member for Montrose was inclined to object, he could move to strike it out upon the motion for its third reading.

Mr. *Hume* assured the Committee that he had no wish to hurt the feelings, or to trifle with the honour, of either of the noble parties who were interested in the progress of this Bill. He had stated yesterday, that when he entered the House he had not the slightest acquaintance with any of the circumstances connected with the present case. He had no previous intention of taking any part in it. The course which he had pursued he had taken almost involuntarily, in consequence of facts which had transpired in the course of the examination of the different witnesses. The gallant officer need not express his surprise at the course which he had felt it to be his duty to pursue, though his manner seemed to indicate that he thought offence was willingly and intentionally given to the noble parties who were then before the House. If the gallant officer entertained such an opinion he was sorry for it; for the gallant officer did not do him justice. Feelings of delicacy, however, upon the matter must not induce the Commons to overlook the great public considerations which were connected with the Bill, now that it was regularly brought before them; and therefore he contended that they ought to see the evidence printed before they proceeded further in their legislation upon it.

The *Chancellor of the Exchequer* thought that this discussion was quite unnecessary, as the question had been already decided, that the bill should be reported to the House. [*Cries of* "*No.*"]

The *Chairman* said, that he had put the question, and that he understood it to have been carried; but, as there appeared to be some doubt upon the subject, the best plan which he could follow would be to put the question again. On his doing so,

Mr. *Tennyson* said, that he rose to express his concurrence in the feelings which had been so properly expressed by his hon. friend, the member for Aberdeen. He came into the House yesterday in complete ignorance of the circumstances of this case: but owing to the facts which were then elicited from the various witnesses, he felt it to be his duty to take a part in the investigation. He hoped that he had quite as much delicacy towards the noble parties implicated in this transaction as the gallant officer had; but he could not lose sight of the singular fact, that there had been no investigation into the circumstances of this case in a Court of Common Law, and that it was an unprecedented occurrence that a Divorce Bill should come under their consideration without its resting upon a previous verdict, with damages in favour of the applicant. That occurrence devolved upon the House a most serious and important duty. It bound them to institute a severe and rigorous inquiry into the whole transaction. He did not mean to blame Lord Ellenborough for not instituting such an inquiry, it was perhaps out of his power to do so; but it was not out of the power of the House, and being within its power, it ought to be instituted. He had felt it necessary to say this much in defence of his own conduct, for if his hon. friend the member for Aberdeen was to blame in this transaction, so too was he.

The *Chancellor of the Exchequer* was sure that nothing was farther from the intention of his right hon. and gallant friend than to impute improper motives to any of the hon. Members who had taken part in this investigation. He was quite willing to admit that, as there was no opposing party to this Bill, it became a duty incumbent upon the House to see that there were the ordinary circumstances deemed necessary to justify a legislative measure of this description. The hon. Gentleman opposite had told them that it was unprecedented to introduce a Bill of this nature into the House unsupported by the verdict of a jury. He believed that the rule in these cases was, that the record of such a verdict should be produced, or that good reason should be shown why it was not. Last year there was a case of precisely the same sort with the present, and that arose from the party against whom the action for damages should have been brought having left England, as in this case, before it was possible to serve him with the necessary process. No one appeared upon that occasion to show cause against the Bill, and it passed accordingly. With respect to the Bill before them, he knew no more of the transaction than hon. Members opposite till he came into the House yesterday. He had interposed upon this occasion, because he was quite certain that his right hon. friend had no wish to cast any imputations upon others.

Sir *H. Hardinge* observed, that in what he had said when he last addressed the Committee, he had no intention to cast any imputation upon hon. Members. He had cast no imputation upon the mode of examination, though it was unusual; indeed he should have been glad if it had been carried further; for the further it was carried, the more honourable would the conduct of Lord Ellenborough appear. He had only complained that the hon. member for Aberdeen had proposed a delay, which in his opinion was quite unnecessary.

Sir *C. Wetherell* commenced his observations by stating, that his right hon. friend (the Chancellor of the Exchequer) was quite correct in stating that this Bill was not the first Divorce Bill which had been introduced into Parliament without resting on the basis of the verdict of the jury. It certainly was not the first case,—it might be the second: if it was not the second, it was, beyond all question, not further down in the list than the third. Letting that point pass, he wished to call the attention of the House to the particular obligation which had devolved upon it, in consequence of its not having the antecedent verdict of a jury in the present instance. In all other cases they had two preliminary measures on which they founded their legislation. The sentence of divorce in the Ecclesiastical courts was the first preliminary; and a verdict in one of the courts of Common Law, awarding damages to the husband, was the second. Now it was obvious, that if one of the delinquent parties—the adulterer, for instance—was out of the kingdom at the time of the first discovery of the adultery, and remained out afterwards, that this second preliminary could not be obtained. One could easily suppose a case in which a delinquent had left England in order to prevent a husband from recovering a verdict against him. One could also suppose a case, in which the delinquent had been induced to leave England in order to prevent any of those disclosures of the husband's conduct from being made, which must come out in case he sought to recover damages in any of our Common Law courts. He did not mean to say that any thing like this had occurred in this particular instance; but still he could not forget that the House laboured in it under this disadvantage—that the Bill having come down to it from the other House without those sufficient guarantees required for the preservation of public morality and justice, it was imperatively called upon to go through that searching inquiry which in ordinary cases was rendered unnecessary by the existence of those important guarantees which he had already named. The scrutiny into the conduct of the husband, as well as into the conduct of the wife, which always took place before a jury on the trial of the action for damages,—that scrutiny, which let in the whole question of collusion, connivance, negligence, and misconduct on the part of the husband,—had not been had in the present case. The

Bill, therefore, was not accompanied by the ordinary guarantee which the House received as the basis of its legislation on subjects like the present. He was sure that the right hon. and gallant officer, who had seemed to throw blame upon those who had taken an active part in this critical inquiry [*Cries of* "*No, no; that has been explained.*"]

Sir *H. Hardinge* said, he had already disclaimed any such intention.

Sir *C. Wetherell:* Well, as the gallant officer had been misunderstood, he would not press his observations on that point any further. The gallant officer had said that this inquiry was uncommon, but he seemed to have forgotten that the circumstances which had given rise to it were also uncommon, and that it was precisely on account of the peculiarity of those circumstances that it was necessary to make it. He believed that every Gentleman who then heard him would agree with him, that to add one moment's pain unnecessarily to either of the noble parties to this Bill, was a course which would give quite as much pain to the hon. Member who made such addition, as to the noble parties themselves, and would meet with the severest reprobation and contempt from the House itself. He could not, however, refrain from stating, that though this case came before them labouring under a defect under which no case could labour which came to them based upon the verdict of a jury, it was even now, at the conclusion of the examination of the witnesses, left so naked with respect to the conduct of the husband, as to render it the duty of every member of Parliament to make himself a juror to try that question which, in ordinary cases, was decided by a jury for him. "We are here, Sir," continued Sir C. Wetherell, "as a jury empannelled to try all the circumstances of this case. That is clearly the path of our duty, and I trust that we should not shrink from pursuing it. Participating, as I do most fully, in all the delicacy of feeling for which the right hon. and gallant officer takes to himself so much credit, I must still be permitted to protest against pursuing the course which he has chalked out for us. I beg most particularly to point out to the House that it is its clear, its paramount, its absolute and undeniable duty, to investigate this case fully, freely, fairly and impartially. I am glad that the inquiry has been pushed as far as it has been in this House; and as I may not have an opportunity of expressing my opinion upon this Bill at a future stage of it, I will take this opportunity of stating, that of the connexion between Lady Ellenborough and Prince Schwartzenberg, I entertain no doubt whatever. With the same freedom of judgment with which I have already expressed myself on other points of this case, I must now express my regret that more extensive and more explicit evidence has not been given of the nature of the relation existing between Lord and Lady Ellenborough previously to her delinquency. I do lament—I repeat it with pain—but I do lament excessively, that fuller and clearer evidence has not been adduced upon that point at our Bar, than that which has been extracted from these witnesses. On the subject of divorce, I beg leave to add, that every man has a right, where an act of adultery is proved against his wife, to obtain a sentence of divorce in the Ecclesiastical courts; not so, however, with respect to a parliamentary divorce. That rests not on the mere proof of an act of adultery: other, and scarcely less important matters, are required to be satisfactorily proved by the individual who applies for it; and one most indispensable ingredient is, the total absence of all neglect, misconduct, connivance, or collusion on the part of the husband, who complains of his wife's adultery. By the Ecclesiastical Law, as laid down by some writers, and by the divine law, as explained by all, adultery does not, of itself, give to the husband the right to marry again; and scarcely more than a hundred years have elapsed since it was first established in this country that a man may, after the commission of adultery by his wife, marry again. All writers on the subject agree, that of itself adultery does not give any right to parliamentary divorce. To his proof of his wife's adultery, the applicant must add the further proof, that he has not by any act of commission or omission been so far a delinquent as to deserve to forfeit that boon (for it is nothing but a boon), and that parliamentary indulgence (for it is nothing but an indulgence from Parliament) which he asks, when he sues for a bill 'to dissolve his marriage with his now wife, and to enable him to marry again.' In all Divorce bills, the question of the good conduct of the husband is as important a consideration as the question of the misconduct of the wife.

Under these circumstances, I hope that I shall not be considered as having protracted this discussion longer than was necessary, in stating my sentiments frankly to the Committee. I have stated my opinion that the act of adultery in this case is fully proved; and I have only now to express my regret once more, that fuller evidence has not been given to us of the nature of the connexion in which these noble individuals lived together previously to the commission of the offence which forms the ground-work of the present Bill.

Lord *Nugent* thought, that as the case was now closed in evidence, every Gentleman who had listened to that evidence would feel that he owed it no less to his own feelings, than to the honour of the parties implicated, to take the earliest opportunity of stating his opinion as to its effects. He did not regret that the Committee had entered into this investigation; for though he had come into the House in total ignorance of the evidence which was to be laid before it, he now felt himself called upon to declare, that it had left upon his mind, as far as that evidence went, the most satisfactory conviction that not even the shadow of a charge of collusion or misconduct was imputable to Lord Ellenborough. As far, therefore, as his opinion was concerned, he was prepared to give to his Lordship the relief which he now sought, and he trusted that that relief would be given with as little delay as possible.

Mr. *Hume* protested against being called upon at this period to give any opinion on the last point mentioned by the noble Lord who preceded him. Hearing the evidence as rapidly and as indistinctly as every Member of the House must have heard it, he confessed his inability to give any opinion upon it at that moment. He must read it over before he could pretend to be master of its voluminous and contradictory character.

The Bill, with the evidence taken before the Committee, was ordered to be Reported.

The Speaker having resumed the Chair,

Sir G. Clerk brought up the Report, and laid the evidence on the Table of the House.

Mr. *Hume* then moved, that the evidence taken before the Committee on Lord Ellenborough's Divorce Bill should be printed. He was not aware that any objection could be taken to this proposition, especially as a great part of the evidence had been taken in a very thin House, when there were not forty Members present. As the case would have to be submitted to the House at large, the evidence ought to be made known to every Member. That could only be done by printing it; and he could not imagine that any rational objection could be urged to so reasonable a proposition.

Mr. *Warburton* seconded the Motion. He could have wished to have been spared the pain of this investigation; but as it had been commenced, it was necessary, for the sake of public morality, to proceed with it, and to have the evidence printed. He had been in the House last night, and had witnessed the singular series of contradictions which the witnesses for the Bill had given to each other's testimony; and he therefore was of opinion, that unless the question was to be decided by the twenty Members who heard the evidence of last night, and by those twenty Members only, it was indispensable to print the evidence which had been taken by the Committee.

Sir *Henry Hardinge* said, that in his opinion this was a case which addressed itself particularly to the feelings of the House. As to the point of form, this Motion was clearly in contravention of it: yet if it should be the feeling of the House that the evidence ought to be printed, he would not object to it, even though the delay of printing it would add three or four days of suspense and anguish to the families of the noble Lord and Lady whose interests the Bill affected. He saw no necessity for printing the evidence, but he would not oppose the Motion.

Mr. *R. Grant* declared it as his opinion, that in a case of this peculiar importance to the moral welfare of the community, the House would scarcely perform its duty if it did not order the evidence to be printed. Deprecating the idea of adding the slightest degree of torture and suspense to any party, he must say that not only the most ample and cautious deliberation, but also the appearance of it, was due to themselves, to public morality, to public justice, to the gravity of their proceedings, and to the feelings of the parties concerned and their immediate relations. The want of a verdict in a jury court gave the case a peculiarity which called for more than ordinary circumspection and deliberation.

The *Chancellor of the Exchequer* said,

that he did not rise to oppose the general feeling of the House, if the general feeling should be in favour of printing this evidence. He merely rose to state his own private opinion on the Motion. He could not concur with those who thought, that when the House heard witnesses at its Bar stating evidence to it, it could come to a juster conclusion by having that evidence printed. The best judgment, in his opinion, would be formed by those parties who had heard the evidence given, and seen the demeanour of those who gave it —parties who, if they had attended to it, were as capable of forming an opinion upon it at present as they would be after they had read it. That was his own individual feeling on the subject, and, what was more important, it was in strict conformity with the rule observed towards jurors in courts of law. As far as he was individually concerned, he saw no reason for printing this evidence.

Mr. *Tennyson* said, that the right hon. Gentleman would be correct in his opinion, if only those who heard the evidence were to vote upon the Bill; but twenty Members alone were present when the evidence was given, and he need not say that a great many more would decide the question. The evidence ought to be printed. Divorce was a remedy out of the reach of the lower classes, and naturally regarded on this account with jealousy by the great body of the people. It ought to be recollected, too, that Lord Ellenborough was a member of that other House whose decision was the only suggestion to precede their judgment. He hoped, therefore, that the right hon. Gentleman would not oppose the printing of the evidence, without which it would be unbecoming in them to give a vote upon the question.

Sir *Henry Hardinge* declared, in explanation, that his only wish was, to prevent unnecessary exposure, and that more for the sake of the unfortunate lady, whom he had formerly known well, than from any consideration in the remotest degree connected with his Lordship, that he had raised his voice upon the occasion; but if it were the general sense and feeling of the House that this evidence should be printed, he certainly would not oppose it.

Mr. *Nicolson Calvert* declared himself quite satisfied with the evidence, and stated that the sooner the affair was concluded the better it would be for all parties.

Mr. *Lennard* said, his mind was made up as to the fact of her Ladyship having uniformly received kind treatment from Lord Ellenborough. This was proved by four witnesses—by the brother of his Lordship, by the butler, another servant, and the early friend of Lady Ellenborough, and he did not think it could be established by other or better evidence in a Court of Justice. He was satisfied respecting the criminality of Lady E., and consequently did not deem it necessary to print the evidence; but if such was the general feeling of the House, he had no objection.

Mr. *Harrison Batley* did not think it would be right for the House to give their decision without having the evidence printed.

Mr. *Home Drummond* observed, that the House was acting judicially, and thought that in deference to the opinions of many Members, and the dignity of their proceedings, they ought to make these proceedings as judicial as possible. He had no doubt upon the case; but he wished to have the evidence printed.

Sir *G. Clerk* said, his right hon. friend and he had no objection to the evidence being printed. He could state most broadly, that no friend of Lord Ellenborough's could do otherwise, as far as he was concerned, than wish for a publication of the entire transaction.

Sir *H. Hardinge* had expressed himself most infelicitously if he had given the House to understand that in consideration of his Lordship's interests or feelings he had any objection to having the evidence printed.

An Hon. Member declared himself satisfied of her Ladyship's guilt; but regretted that no provision was made for her. He suggested the introduction of a clause which should prevent her from being in the condition of a pauper.

Sir *G. Clerk* said, that such a clause was never introduced into such Bills.

Sir *H. Hardinge*, as one of the Cotrustees to Lord Ellenborough's marriage settlement, said, that such a provision had been made as had received the approbation of the lady's family.

Evidence to be printed.

Trial by Jury in Scotland.] The *Lord Advocate* said, the subject which it was his duty to introduce to the consideration of the House was one of the utmost importance. It affected the general administration of justice in a large portion of the United Kingdom, and he hoped consequently that it would not be deemed unworthy of their notice. The object of the Bill which, with the permission of the House he meant then to bring forward, had been, at an early period of the Session, explained, so far as regarded its principles and bearing, by his right hon. friend, the Secretary of State, who declared the intention upon the part of the Government to propose those changes which it embraced, and which were destined for the improvement of the administration of justice in Scotland. He regretted that he had been prevented by circumstances from introducing this measure until the present advanced period, though the House must be aware that the delay was no fault of his. Having said this, he would now observe, that the statement of his right hon. friend was general, and consequently, that it devolved on him to detail more minutely the objects and principles of the Bill, that they might be better understood by the House and the country. In doing this, however, he would not fatigue the House by touching upon unnecessary points. He would briefly address himself to the principles of the Bill, and these were twofold; the first and chief was the improvement in the administration of justice in Scotland, which was essentially and continually kept in view; and the other was the effecting of a considerable saving in the public expenditure. These were the two ruling principles of the measure; and if it should further appear that in carrying them into effect there would be a great sacrifice of patronage, he trusted it would not render them less acceptable to the House. The first and most important part of the measure was to give to Scotland the form of Trial by Jury in civil process, by uniting it with the proceeding in the Court of Session. Some Members might not be, perhaps, aware that it was not yet fifteen years since Trial by Jury was introduced into Scotland. Previous to that period the practice was, before trial, when any difference as to a point of fact was involved, to appoint a commission to examine witnesses, and take down their depositions in writing, without any means of examining into the relative situation or motives of the witnesses, and without any limitation in respect of the nature of the evidence which was to be taken. Now, the peculiar inconveniences of this system were very great, particularly in Appeal cases brought before the House of Lords, which being overwhelmed with the mass of papers laid before it, had the best opportunity of observing the evils it induced, and were consequently most anxious to provide some remedy. Accordingly, in 1815, an Act was passed to remedy this by substituting parole evidence and Trial by Jury for the old plan of examining witnesses by a commission. That Act first gave Trial by Jury to Scotland in civil causes. In doing so, however, they found it necessary to proceed with extreme caution, for the people were wedded to old forms; and therefore it was only brought forward in a separate court, at the head of which was placed an individual of great general knowledge, who was well acquainted with the process of Trial by Jury in England, and who was also known to unite to the highest good feeling towards Scotland a great knowledge of its laws. The jurisdiction of his court was for four years confined to special issues, sent to it as a Jury Court from the Courts of Law. But it having been afterwards found that Scotland was not so averse from this form of trial as had been at first imagined, a new Act was passed in 1819, which permitted not merely issues, or points in particular causes, but the whole cause to be sent from the Court of Session before the Jury Court. Thus did Trial by Jury go on from year to year till it became acceptable to all classes of Scotsmen. And he wished it specially to be remarked that, during this whole period, it was intended, upon the part of Government, that Trial by Jury should be united with the proceedings of the ordinary courts. This appeared in all the Reports, and in all the Acts of Parliament; and even so late as 1825 an Act had passed, which extended the powers of the Jury Court in a variety of ways, and bringing under its jurisdiction a much greater number of causes cognizable by that mode of trial alone than before. By that Act also it was determined, in order that the union of the Jury Court with the Court of Session might take place on the 30th of June, 1830, that the New Court should exist only to that time. A commission having been appointed to inquire at what time the union might be made, and in what manner it might be best effected, reported, in 1827, that it might be made at any time after June 30th, 1830, and that union it was now his intention to propose. He could take upon himself to say, that the people of Scotland were now perfectly reconciled to it, and the only difficulty in its way was the very existence of that separate court which had been created as an experiment of the system of Trial by Jury; and which, in consequence of the number of causes referred to it from other courts, was attended with considerable delay and expense. He was convinced, that when the powers of Trial by Jury were extended, all these objections would disappear. He did not calculate on opposition from any hon. Member present—the benefits of the system were so obvious, and so dearly prized by those who had the happiness to enjoy them. He was prepared to say a great deal on the subject, but it would be a mere waste of words, because he was sure the House was already disposed to go with him, and because he could state that it was the general desire of Scotland that the change should take place. This he declared was in accordance with the feeling expressed by the Scottish bar, and by the people of the country. And if there were one opinion whereby the House ought to be influenced more than by any other, it was that of the chief of the Jury Court, who, for a period of fifteen years, by his great talents, impartiality, temper, and accommodating spirit, had laid the prejudices of the country under his feet, and had bestowed such a boon on her, that Scotland, he was well convinced, would continue to honour his memory to the latest times. For himself, there was nothing he was not disposed to say in his praise—nothing which he would not amply deserve. And when it was stated that this gentleman had declared in evidence that the Trial by Jury might be taken from his hands, and out of his court, and made comparatively general, he conceived that he had laid before the House a most powerful reason for according with his proposition. He would now detail the general provisions of the Bill. The first was, that it should come into operation on the 5th of October, which might be considered as the close of their year, the Circuits being over, and the proceedings for another year not commenced. The second point was, to send all causes now triable in the Jury Court before the Court of Session, but to try them there after the same fashion; namely, by a Jury. No choice was to be admitted in this case, and means were to be taken to increase, instead of diminishing, the number of causes in which Jury Trial might be had of the Court of Session. Next, it was proposed to confine the trial of issues to the presidents of the first and second division, who alone were to preside in all such trials, because they were men of the highest talent, well read in the law, and intimately acquainted with practice. Besides, advantage was to be taken of the services of the Chief Commissioner, the Judge who now presided in the Jury Court. His days were unfortunately drawing to a close in the ordinary course of nature; he was now fourscore; but while he lived, no trial of issues would take place, unless he (the Chief Commissioner) or one of the two Presidents, was on the Bench. This was to last for a period of three years subsequent to the appointed time, and on these terms he believed the union would be more satisfactorily accomplished than it could be upon any other. It was the Lord President of the Court of Session who had suggested this to him; and he was certain of success in the prosecution of the general measure, from the good feeling which existed between the two Courts. Next, he proposed by the Bill to abolish all the separate Clerkships of the Jury Court, and attach the Clerks to the Court of Session. These alterations would undoubtedly be useful to the country, and occasion a great saving of expense. Further, he intended that the Court of Admiralty, as it was then constituted, should cease to exist. Scotland had, in days of yore, like England, her Lord High Admiral, who administered justice, and presided in this Court. At the time of the Union between the countries, however, this Court was, by a special clause, placed under the English Court of Admiralty, and it was thus declared that "the Court of Admiralty of Scotland is to remain in the same manner after the Union as now, until the Parliament of Great Britain shall make such regulations and alterations as shall be judged expedient for the whole United Kingdom, so as there be always continued in Scotland a Court of Admiralty, such as that in England, for determination of all maritime cases relating to private rights in Scotland, competent to the jurisdiction of the Admiralty Court, subject nevertheless to such regulations and alterations as shall be thought proper to be made by the Parliament of Great Britain."

Matters remained in this state until the present time. The Vice-admiral of Scotland had appointed his Deputy, but in 1784 he was appointed for life by the Crown, and the Court had a jurisdiction in mercantile as well as criminal cases. The judgments of this Court of Admiralty, however, were liable to the revision of the Courts of Common Law. Thus, it appeared it was an inferior Court, for other Courts had a concurrent jurisdiction, as well in the trial of crimes and misdemeanours committed on the high seas as in mercantile cases. It could not, therefore, be advocated as useful. It was not a superior Court, nor had it the advantages of a local Court in cheapness or convenience, because all men, even from the remotest parts of Scotland, must come to Edinburgh, if concerned in proceedings of that Court respecting a matter from 30*s.* to 5*l.* It was, therefore, the intention of Government to do away with this Court altogether. There were some cases in which the sum in dispute was under 25*l.* where the parties went before the Sheriff, who judged them as in ordinary cases; but when the sum in dispute exceeded 25*l.* it went before the Judges of the Court of Session. He thought that what he was now about to propose was an obvious improvement upon the present system of the administration of justice in Scotland; and that among its other advantages it would save both delay and trouble to the suitor. He thought it right to mention in this place that what he proposed was not such an alteration as would be a violation of any article of the Union: by some persons it was imagined to be so; but he had read the article of Union relating to this subject, and he was entirely of a different opinion. That article stated, "that the Court of Session, or College of Justice, do after the Union, and notwithstanding thereof, remain in all time coming within Scotland;" and it made the same provision with respect to the Court of Justiciary and the Admiralty Jurisdiction, and then further provided "that no causes in Scotland be cognoscible by the Court of Chancery, Queen's Bench, Common Pleas, or any other Court in Westminster Hall; and that none of these Courts should have the power to alter or review the judgments of the Courts of Scotland." It was clear, therefore, that the object of the Legislatures of the two countries was, that parties should not be obliged to come to England to obtain justice. In that respect he should not violate the articles of the Union, for what he was prepared to do was, to give to the people a more useful Court than that which they now enjoyed. On these grounds he proposed to do away entirely with the Court of Admiralty, and to substitute the jurisdiction of the Courts of Common Law, the Sheriff's Court, and the Court of Session for it. The next point in which he intended to introduce any alteration was, in what might be called the Consistorial Court of Scotland. That Court was originally an Ecclesiastical Court; it afterwards exercised a jurisdiction not strictly Ecclesiastical, but it resembled that species of tribunal more than any other. It was not, however, confined to cases that properly came within an Ecclesiastical jurisdiction, as in England, but decided on other causes, and was subject to have its decisions reviewed by the Court of Session. In making these appeals, the course had been, after obtaining the judgment of this Court, to go to what is called the Outer Court, and then again to the Inner House, so that, in fact, the case was decided on three times before it was finally settled. The jurisdiction which this Court possessed was of a two-fold nature. In the first place, it had the power of granting administrations of wills, or grants and confirmations, as they were called in Scotland—by which executors were named, and received their authority to carry into effect the directions of the deceased. These proceedings, of course, took place during all times of the year. That part of its jurisdiction which related to grants and confirmations would not be altered; it was well enough in its operation as it stood at present: but there were other parts of its jurisdiction which required revision. The Court of Commissaries, or Consistorial Court as he might call it, gave judgment in a most important class of cases. It decided in all cases upon questions relating to the civil condition of individuals, on questions relating to legitimacy or illegitimacy; and in that Court alone could suits brought to determine such questions be instituted. It decided, too, upon questions relating to the validity of marriages, it declared whether they were good or bad, valid or null; and it possessed the power, not only of awarding a decree of divorce *a mensa et thoro*, but of issuing a decree of actual divorce—a power, which in this country (as the proceedings of that night had furnished an example) required all the authority of Parliament. The decision of the Court of Commissaries of Scotland was subject to the review of the higher tribunals; and it was now meant to refer the jurisdiction of all the classes of cases he had mentioned from that Court to the Court of Session. That was the measure which he now proposed to carry into execution. He contended that that proposition was in no way unconstitutional, but on every ground highly expedient. He admitted that this Court did not stand on exactly the same ground with the other; but in all an appeal lay to the Court of Session. He proposed to place the decision of all these cases in the hands of the Judges of the Court of Session. That the Court of Session was originally intended to possess that power was clear from the Act of Parliament passed in Scotland relative to this subject. In the Act of Parliament made in Scotland for the purpose of defining the jurisdiction of this Court, it was said, that if the Commissaries did not do their duty in the matters brought before them, the Lords of Session should have the power to determine the same, and that because the Lords of Session were his Majesty's great Consistory for cases of this description, and possessed the highest jurisdiction to hear and determine the same. Such was the language of the Scotch Act of Parliament, and in his opinion it showed most clearly, that, according to the original intention of the Legislature, these powers were to be exercised by the Court of Session. Considering the great importance of the class of cases he had referred to, he trusted that the House would see at once that their decision should be confided to the hands of those most fit to determine them. He saw the necessity of this alteration the more particularly, as in the present state of opinion in this country relative to questions of marriage and legitimacy, he was convinced that if some change did not take place, and a steady principle were not adopted in the decision of these cases, there would be, some day or other, a remedy applied very different from that which he proposed to adopt. Though he had not the slightest wish to do any injustice to the individuals who composed that Court, and though he was most anxious to say that they discharged their duty with the utmost possible attention, he was yet convinced (and it was no fault of theirs) that many actions of collusion took place in the Court. He would refer to a return, which would go some way to justify him in this assertion. During the last two years, forty-eight claims for divorce were entered, and in only nine of these cases was appearance entered for the defenders, so that in thirty-nine cases of divorce, they were carried on entirely at the instance of only one of the parties; and when, besides this, it was recollected that divorces were granted for more than one cause in Scotland, that they were granted not only for adultery but for what was called non-adherence; that is, that if a man and his wife did not live together for four years, that would be a ground for obtaining a divorce; he said, when the House recollected all this, they would see in how many cases of divorce it was likely that collusive actions would arise. By coming to the Court of Session, he thought a check would be imposed upon the practice. From the publicity that would then be necessary, and from the mode in which the cases would be treated, in all probability the parties who now brought these collusive actions would abstain from them in future, and that a number of these cases would never appear; or, if they did appear, the verdict would be founded upon examinations more strict than hitherto. He repeated that, in making these observations, he meant to throw no imputation upon the learned individuals who now composed that Court, for the evil was beyond their power of preventing. The only exception that was even hinted to the plan he had now proposed was, that it would be cruel in its operation upon the poorer classes, for that they could not, but at a great expense, obtain a divorce, if these alterations were effected. He did not think that this objection was valid, for even if it were true that great expense would be necessary in order to obtain a divorce, he was not sure but that, in such actions as these, increased expense would operate beneficially rather than otherwise. But he thought that the merits of the measure could not be disputed on these grounds; for it must be granted to him, that in cases of appeal from the Consistory Court to the Court of Session, the expense must be greater than it could be if the suit were commenced in the Court of Session. From a return which had been communicated to him by a gentleman well acquainted with the subject, he believed that the expense would be found to amount, under the operation of the measure he now proposed, to a sum of 53*l*. 19*s*., at present it was upwards of 20*l*., and he thought, that if a decree for a divorce could be obtained at such an expense, there could be little objection, on that score, to his plan. The other point that required attention, as to the measure he now proposed, was as to the mode of proof to be adopted in these cases. It would be a question whether it would be right to remit these cases to the decision of a Jury Trial? He did not mean to exclude that mode of trial altogether, but he thought it would be expedient to leave the Court to judge what were the cases in which it was fitting that the decision should be by that mode of inquiry. With this view, he should propose to reserve one of the Commissaries out of the four now appointed, in order that he might examine the nature of the proofs submitted, and then remit them to the Court of Session. Such was the plan he now proposed for the adoption of the House—a plan by which the Court of Commissaries would not be entirely done away, but three out of four of their number might be dispensed with. He begged to apologise to the House for the length of detail into which he had gone, but he had felt bound to do so, as the subject was one of great interest in that part of the country to which he belonged. Having thus proposed to give the Court of Session a great additional duty connected with the Jury Trial, and with the decision of cases now determined in the Admiralty Court, or in the Commissaries Court, he should proceed to state an alteration of another kind which he also proposed to effect. Notwithstanding all these additional duties, he was prepared to propose a reduction of two of the Judges of the Court of Session. He was under the necessity here of explaining the reasons why two of these Judges could be reduced, and why only two were to be reduced. The House might probably not require a reason for the last of these propositions; but as in Scotland there was a feeling, and a strong feeling, that this ancient Court ought not to consist of a less number of persons than had hitherto composed it, the explanation was strictly necessary. The Court of Session owed its origin to the Privy Council of Scotland. James 5th, in the year 1537, constituted fifteen persons Judges of the Court of Session; the Lord Chancellor was a member of the Court, and the Judges were to have the power of adding four of the great men of his household to their number. At the time of the Union the Court did consist of all these persons—of the Lord Chancellor, the Lord President, and fourteen Judges, together with the four additional Judges of whom he had already spoken. At that time they sat at what would now be considered an extraordinary hour—they sat at eight o'clock in the morning and rose at eleven. The objection made to that part of his plan which he was now discussing was the same he had before adverted to—namely, that it was contrary to the Articles of Union. Now, on referring to the Articles of Union, he found that the Courts then in existence were to remain in Scotland, "with the same authority and privileges as before the Union, subject, nevertheless, to such regulations for the better administration of justice as shall be made by the Parliament of Great Britain." Under that power, it was quite clear that the Government was fully warranted in reducing the number of Judges as Parliament might think fit. The terms of the Article were, that the Courts should remain as they were then constituted; but it was clear that that did not refer to the number of the Judges; and the power of Parliament to making any alteration in that respect at least, was proved by what had happened within a few years after the Union. In the year 1723 an Act was passed for the purpose of declaring that whenever the places of the four Extraordinary Lords of Session, or any one or more of them, should become vacant, no presentation or nomination to fill up the vacancy or vacancies should be made by his Majesty. That enactment shewed what was the sense of Parliament as to their competency to make a reduction in the number of the Judges of the Court. Other changes had occurred since. The one Court had been divided into two Courts, at first consisting of five Judges each, and now of four; the remaining Judges being employed upon a totally different duty. He regretted that he was obliged to go into these details, which were very tiresome he was afraid; but it was necessary for the due understanding of the case. All trials were first held before one of the Judges of the Court of Session; and if the case was terminated there to the satisfaction of the parties, there was an end of the matter; if not, there was an appeal to the other Judges of the Court. In 1813 an Act of Parliament was passed for separating the Court into two divisions of five Judges each, and appointing the remaining five Judges permanent Lords Ordinary. It so continued down to 1825; but at that time the number of permanent Lords Ordinary was increased from five to seven. It had appeared since, that that addition was totally unnecessary, and the object of the measure now proposed was, to reduce the number to what it had been before. It was clear that they might be spared; for it appeared from a return which he held in his hand, that the same quantity of business had been performed by five as was now performed by seven. Indeed, not only the same, but a greater quantity of business had been performed by the lesser number. He would read a return, from which it appeared that on the average of the ten years previous to the year 1828, the number of new causes entered amounted to 2,308, while the average number of new causes entered within the last ten years amounted only to 1,564. So that more business had been, in fact, done by five Judges than by seven, and he apprehended that two of the number might well be saved to the country. In that opinion he was confirmed by Judges who had done much of the duty that fell to the lot of Lords of Session, Under these circumstances it was, that he proposed this reduction. But there was another reason why the number should be reduced; and that was, the difficulty that would be found in obtaining the attendance of the Bar. That difficulty had, indeed, been already felt. Each of these seven individuals might hold a separate Court; and with one Bar, the greatest confusion must then prevail in obtaining the proper attendance of Counsel. To remedy that inconvenience these Lords Ordinary only sat two days in the week. But there was another evil connected with this part of the system, and that was, the difficulty of filling up the places of these Judges. Great and powerful as were the talents of the Bar of Scotland, it certainly would not be found sufficient to supply the present number of Judges, at least upon the principle on which they were now selected. The time was, when Judges were chosen for a different reason from that of the possession of legal talent and knowledge, when country gentlemen, on account of their fortune, were appointed to fill the Judicial situations of the country, and when only a few eminent lawyers were put upon the Bench; but since his right hon. friend had had the management of that department no such thing had occurred; and he repeated, that in the present mode of appointing the Judges, the Bar of Scotland would not afford the necessary number, without at least leaving that Bar in such a state that it ought not to be left, for there ought always to be men of such experience and learning as were qualified to advocate the causes of the lieges with due effect. No more, however, than two Judges could be spared. There were now two divisions of the Court, consisting of four members each, and they would not admit of further reduction. Four had been the number of the Judges in the English Courts, and when the experiment was tried in Scotland it was found to answer there. Any further reduction, therefore, must be made out of the remaining five. Now of these one was appointed to determine on applications to stay the service of writs, a duty which required the immediate operation of judicial authority. Those matters which were heard in the Courts of Equity here, were in Scotland determined by one of the Lords Ordinary; such as interdicts, injunctions, and other questions immediately affecting the personal liberty and rights of the subject. Two of the Lords Ordinary attended each division of the Court. No more, therefore, than two of these Judges could be reduced, unless there was a total alteration in the formation of the Courts of Scotland, an alteration which that House certainly would not think of attempting in a country where the people were so well satisfied with the administration of justice, and where the question had been so fully discussed as this had been, by a Commission, composed of the Chief Justice of the Common Pleas, of the Chief Baron of the Exchequer, of Mr. Justice Littledale, of Mr. Courtenay, Sir Samuel Shepherd, and Mr. Adam; by whom no such alteration had been deemed necessary. As he proposed to impose new duties upon the Lords of Session, so he should find it necessary to lengthen the period of their Session. He therefore submitted that one month ought to be added to their time of sitting. They now sat six months, with the exception of a small vacation at Christmas; of which, however, they had almost been deprived by the time now occupied in Civil and

Criminal Trials before a Jury. It must not be forgotten that the same Judges sat to decide upon both civil and criminal matters; and he regretted to be obliged to state that their business, in the latter department, had much increased of late years. There were returns on the Table which shewed the amount of this increase. In the three years preceding 1810 the average number of criminal trials in the High Court of Justiciary at Edinburgh amounted to fourteen; on the Circuits the number was ninety-one, making a total of 105; while the average of the last three years shewed that the criminal trials in the High Court at Edinburgh amounted to ninety-three, and on the Circuits they reached as high as 227, making a total of 320. When there were so many criminal trials, the House would perceive that a considerable portion of the time of the Judges must be devoted to this purpose, for the trials of criminals in Scotland were conducted in a different manner from the same trials in this country. Not only were Counsel allowed to the prisoner, but as it was a fixed principle in the Scotch law that more than one witness was necessary to prove a criminal charge, a considerable space of time was often employed when only one witness could be procured to swear to the direct charge, in order to examine others as to the circumstances which would be sufficient to make up for the want of the other witness. He should not go too far if he asserted that in addition to the six months occupied by trials in the Court of Session, one fortnight was devoted to each sitting on civil trials. Four weeks were employed in civil, two weeks in criminal cases, and the Circuit occupied six weeks, making a total of three months; and if to these was added the month of lengthened Session proposed by his Bill, the House would see that out of the year the Judges were only allowed two months' leisure. Even that time, however, was not a time of leisure; for, from the course of proceeding in the Courts, from the circumstance of the pleadings being all in writing, and requiring to be studied at home, the Judges were, in reality, during a great part of these two months occupied in preparing for the trials that were afterwards to come before them; so that, in fact, they would only have the time absolutely necessary for men of their age to enjoy that relaxation that was necessary to fit them for the discharge of their active duties. He was glad to say that he was now hastening to a close; but there was still a further subject of reduction which he had to notice. He referred to the office of Lord Justice-general of Scotland, the duties of whose office he proposed to transfer to the Lord President of the Court of Session. That noble person (for the office was held by the Duke of Montrose) was the practical head of the Criminal Judges of Scotland. The noble Duke might, if he so pleased (but he had never done so), go down to Scotland, and assume the chief authority in the Criminal Courts there. The House would agree with him that there was nothing so unfitting as that an individual, not educated to the law, should possess all the chief power of administering the criminal law of the country. It was proper, therefore, that this office should cease, and that the authority belonging to it should be transferred to other hands. It was now in fact a sinecure, and a sinecure meant an office to which no duty, but a large salary, was attached. In transferring the office, as he proposed to do, they would act upon an exactly opposite principle; for they would impose a large duty, but accompany it by no grant of any salary whatever. It was quite impossible that the Lord Justice Clerk could discharge the whole of the duties that would thus devolve upon him; and he had accordingly joined with him, for their due performance, the Lord President, who was to undertake a part of them. Before he proceeded to the last Court to which this Bill would apply, he wished to state that he thought he had shown that the Lord Justice Clerk and the Lord President would have ample occupation. They must be well acquainted with every case, as the country looked especially to their opinions. When once the union, of which he had spoken, was completed, and the country became more acquainted with the nature of the Trial by Jury, and its advantages, he was confident that the number of civil cases would be increased, while the criminal business would not be diminished. It remained for him only to advert to the Court of Exchequer, the origin of which in Scotland might be traced back upwards of 400 years. This was the oldest of all the Courts we knew in Scotland, and indeed from its nature must be so in every country—the Exchequer would be almost coeval with the history of taxation. By the Act of Union it had been preserved to Scotland, with the same powers as the Court of Exchequer of

England, and it received its particular shape principally from an Act of Queen Anne. So anxious were the framers of the Union to preserve the jurisdiction over revenue cases in the Exchequer, that they distinctly recognized its authority; and the Articles of Union themselves, with unusual particularity, set out the precise amount of revenue derived in Scotland from the Customs and Excise, at that period. By the 15th Article it appeared that the whole amount of the receipts in the Customs' department was 30,000*l.*, and the whole amount of the receipts in the Excise Department was 33,500*l.*, making in the whole, 63,500*l.* Since that date the produce of the Customs and Excise had increased in a remarkable degree. It was as follows:—

Customs............	£1,376,000
Excise	2,839,000
Making a total of	£4,215,000

If then it was thought, at the date of the Union, that a Court of Exchequer was necessary to Scotland, it could not now probably be disputed that that necessity was not diminished. At the same time, under the existing arrangements, it had been found by Government, after the fullest inquiry, that the number of Judges of the Exchequer might be reduced without disadvantage. Those Judges were formerly four Puisne Barons, besides a Chief Baron; but about nine years since the number had been lessened to three Puisne Barons, and a Chief Baron. It was now proposed to abolish two more of the Puisne Barons, so as to reduce the Court to one Puisne Baron, and the Chief Baron. He contended that the business of this department could not properly be confided to one individual, however competent; and he thought it would be admitted that two were the smallest number of Judges that the Court ought to consist of. If one Judge were absent from accident or illness, there would still remain another to discharge the duties of the situation; whereas, if only one Judge were provided, no such resource would be left. In order to provide against contingencies, a clause could be introduced to enable the Chief Baron and Puisne Baron to call to their assistance one of the Judges of the Court of Session. He was prepared to expect that some hon. Member would argue that the Court of Exchequer in Scotland might be entirely abolished; he insisted, on the contrary, Scotland was entitled to a Court of Exchequer in some shape or other, even if some grounds could be shown why it ought not to exist; she had a just claim, by the terms of the Act of Union, that her Court of Exchequer should not be wholly abolished. He made this assertion with confidence, and with some knowledge of the subject, having for eleven long years attended that Court, and argued every case there under discussion before the Lord Chief Baron, Sir Samuel Shepherd, that most learned and enlightened lawyer. He maintained, also, that to throw the business of the Exchequer into the Court of Session, would not only be most inexpedient but most unjust; neither would it produce any saving of expense, if that were the object, inasmuch as additional labour could not be thrown upon individuals without additional emolument. In such a change, no advantages that he could contemplate would by any means counterbalance the disadvantages. He was happy to say, and no doubt the House would be happy to hear, that he had arrived at the close of his explanation; he had endeavoured to point out, as clearly and as succinctly as he could, the different alterations he proposed to make; but he was aware that he had been necessarily led into some minute and tedious details. He believed that all who heard him would bear him out in the opinion, that the changes were calculated to promote the due administration of justice in Scotland; he was prepared to defend them upon that score, and if they were not so defensible, he, for one, was ready to abandon them, for considerations of expense in such a case were entirely secondary and inferior. It could not, however, be disputed, that if these beneficial reforms were attended also with a saving of the public money, it was an additional recommendation, and that saving might be stated as follows:—

In the Jury Court the saving would be..	£11,000
In the salary of the Judge Admiral	800
In the salaries of three Judges in the Commissary Court	1,800
In the salary of the Justice General	2,000
In the salaries of two Judges of the Court of Session	4,000
In the salaries of two Judges of the Court of Exchequer.....................	4,000
	£23,600

In a pecuniary point of view, therefore, the gain to the country would not be inconsiderable; and it would also be obvious, that by this arrangement the Government would sustain a loss of patronage, and that not eventual, but immediate: in fact, in some respects, it might be even said to have been forestalled. Eighteen high officers were to be abolished, all connected with the Bar of Scotland—that most influential body, whom, if Ministers were anxious to maintain their popularity, they ought by every means to conciliate. That object would certainly not be accomplished by the plan he now proposed; and he might say that he knew that in the part of the kingdom with which he was best acquainted, this part of the measure would not be well received; the state of the public mind there, was materially different from the state of the public mind here; but he trusted that when the real merits of the Bill were understood, the good sense of the people of Scotland would enable them to value the proposed changes at their real worth. At present they reprobated all changes in the judicial system; and he was aware that some part of the odium attending this measure must rest upon himself. Of this, however, he was quite sure—and it afforded him great satisfaction—that nobody in Scotland or out of it would question the purity of his motives; they might disapprove of the new system, but they would be convinced that his only wish was, to benefit his country; they must, indeed, be short-sighted who thought he could possibly be actuated by any but the most disinterested intentions. He trusted that the measure would be followed by all the benefits anticipated, and that it would reflect upon the Government the just degree of credit due to its exertions and its wishes to improve the administration of justice. After thanking the House for the patience with which it had listened, the learned Lord moved for leave to bring in "A Bill for uniting the Benefits of Jury Trial in Civil Causes with the ordinary Jurisdiction of the Court of Session, and for making certain other Alterations and Reductions in the Judicial Establishments of Scotland."

The Question was put from the Chair.

Sir *Michael Shaw Stewart* said, although he could not but regret the delay that had taken place since notice was first given for the introduction of this bill—a delay that could not but be inconvenient to the Lord Advocate himself, and to all the Members connected with Scotland, as well as displeasing to the people of Scotland, who are so deeply interested in this Bill, yet he must confess that he had heard with much satisfaction the details as far as they went, and as he understood them, of the bill as now proposed to be introduced by his learned friend, the Lord Advocate, who, he must say, had upon all occasions within his experience always shown much candour and readiness in promoting any measure of public improvement that he felt himself, in the exercise of his great official responsibility, justified in consenting to. But there was something so new and so liberal in the proposed improvements and curtailments in the system and expenditure of the administration of the law in Scotland, that he could not but mainly attribute them to the enlightened mind of his right hon. friend the Secretary of State for the Home Department, in conjunction with the noble and learned Lord at the head of the administration of justice in this country; and under this conviction, he could not help expressing an anxious hope, that when the multiplied and important public claims that pressed so heavily upon his right hon. friend would allow him leisure to look more and more into the details of the courts of law in Scotland, that he would be disposed to feel the incumbent propriety of carrying the effects of his salutary revision considerably beyond the scope of the Bill now before the House; and he could assure him (and he wished to speak with becoming moderation on the subject, and with sincere veneration for the institutions of his own country, and for the able and excellent individuals who preside over them), yet he could assure his right hon. friend, that he would have for his recompense the gratitude of the people of Scotland, for it was a revision that in some important respects was, he believed, much required. Without presuming to enter at present, prematurely and imperfectly as he must always under any circumstances do, into the details of the Bill, he might be permitted to say that he thought there could be but one opinion as to the great advantage of promoting the extension of Trial by Jury in Scotland; for although, limited as it had hitherto been to a separate court, its benefits may have appeared doubtful to some, yet when it becomes co-extensive and united with the jurisdiction of the Court of Session in all civil causes, as he understood it to be the object of this Bill to make it, its beneficial effects in shortening the length, and thereby diminishing the expense, as well as in giving more exactness and certainty to the proceedings of the courts of law, would, he was persuaded, be speedily and gratefully experienced; and he trusted that these benefits of Trial by Jury would not be limited to the Court of Session, but that, in conformity with a very general wish among the people of Scotland, it would be found expedient and just to extend it to every provincial Sheriff Court in that part of the kingdom. As a very effectual means of reducing the great expense of law proceedings in Scotland, not included in the Bill, but to which he would entreat the particular attention of the right hon. the Secretary of State, and the Lord Advocate, viz. a revision of the Fees to Clerks of Courts, which were, he believed, a ceaseless source of heavy expense to every litigant in Scotland. These fees were, he was aware, regulated and sanctioned by the Court of Session; and it was for this very reason that he asked his right hon. friend to take them under his own immediate revision; for he was convinced of his sincere desire, as he forcibly expressed it in his able statement on a former night in developing the proposed law reforms, to make justice as cheap and also as expeditious as possible; and he had indeed given substantial and beneficial proofs of the sincerity of that desire, and of his great ability to carry it into effect. Perhaps the House would permit him to read a part of a letter he had received, among others, from a most respectable and experienced professional gentleman in Edinburgh, as it would convey some information on the subject much more concisely than he could relate it:—"The first improvement in the Court of Session, and the one which would diminish expense most, would be to abolish all fees to Clerks of Court, and let Government pay the salaries of the necessary Clerks as well as of the Judges. If this were done, it would not cost above one-fourth for Clerks of what it does at present. The six principal Clerks and six Depute Clerks of Session are nearly sinecures, and for them the litigants are charged with a fee-fund of about 9,000*l.* a-year. There is a second fee-fund for fifteen Lords' Clerks, whose fees were introduced by Sir Islay Campbell, and cost the litigants about 6,000*l.* Then there are closet-keepers, extractors, &c. all paid by fees on every step of procedure in the Court, so as to cost the litigants upwards of 20,000*l.* for Clerks of Court. If Government were to remodel the Clerks, they could get the business better done for about 5,000*l.* or 6,000*l.* They might continue as much of the fee-fund as would pay the present Clerks till they die out. The expense of litigation is so great, that it soon exceeds the amount of the sum in dispute, if it be of moderate amount; and it becomes often better to acquiesce in an unjust demand than incur the risk and expense of a law-suit. There seems no reason why the litigants should be taxed to pay the Clerks of Court more than the Judges; and Government have set the example in the Jury Court, where they pay all the Clerks. If they were to new model the Clerks, and fix moderate salaries for no more than are absolutly necessary, they would confer a great benefit on the country at a very moderate cost to Government." He would only beg to add, that whether Government would consent to pay the fees of Court or not, he trusted the result of a revision would be, a great reduction of these fees, and a greater reduction of the Clerks than was proposed by the bill before the House. There was another point to which he must advert, and not mentioned in the Bill, yet entailing great expense and greater inconvenience on the people of Scotland, and he hoped the learned Lord would give his immediate consideration to it—he meant the cumbrous and multifarious forms of deeds and writings at present in use for the transmission of heritable property from one individual to another, and for mortgaging the same. He was convinced that the good sense of the country at large, and he believed the majority of the learned profession, were impatient to have these forms superseded by forms drawn in simple and precise terms, and divested of all that technical tautology which leads, from the mere inaccuracy of clerks in a single word in copying these complicated forms, to consequences the most serious and severe. He trusted that the learned Lord would yield to the general feeling of Scotland, and would bring in a bill to abolish altogether infeoffments and seisins, and enact that the deeds of transfer of heritable property and heritable securities be publicly registered in their stead, letting the regulated fees of seisins be paid on these deeds, so protecting the invested interests, and he trusted also, thus muffling, if not altogether arresting, any opposition to this great improvement from the principal keeper of seisins and all his subordinates. He thought that the practice of introducing into many recent Acts of Parliament condensed forms of writing for the purchase of land for rail-roads, canals, &c. and for borrowing money on the credit of these, afforded a direct and useful precedent for what he had ventured to suggest. He believed that bequests left to public bodies and heritable institutions were worded in very concise terms, which were held to be binding on executors, and to be good in law; and if he were not mistaken, the largest mercantile transactions were securely completed, simply by an invoice and a bill of exchange. It seemed, therefore, very hard and absurd to his unprofessional mind, that land should be the only species of property that in its transmission should not enjoy the great benefit of concise and secure forms. But he was persuaded that his learned friend must feel the necessity of an alteration in this respect, and he trusted he would, with his usual liberality, undertake and effect it. There was one other point to which he would beg leave at present to allude, and as it was one of heavy expense and complaint among the people of Scotland, he should feel that he was not doing his duty were he to omit it on this occasion: he alluded to the high rate of Writers' charges. These charges were a heavy tax on all the property of Scotland, and he called upon his hon. friends, the representatives and gentlemen of Scotland, to refute or confirm what he now stated; and he begged to say, that he made this statement with all due respect for that able and intelligent body of gentlemen, the Writers to the Signet of Scotland. He blamed not them, for these fees were, he understsod, regulated and sanctioned by the Court of Session, and that being the case, he felt that he ought not, as a trustee of the people's money, to consent to any augmentation to the salaries of these controlling judges, until he had received some assurance from the learned Lord that there should be a revision and reduction of these charges of which he complained in the name of the people of Scotland. And abundant reason the people had to seek every possible reduction of legal expense; for the sum annually consumed by law, in all its gradations, shapes, and varieties, in Scotland, was, he believed, truly enormous. Leaving to other opportunities, and to abler and more experienced minds, the more serious duty of going into the details of this Bill, and suggesting such amendments as might be thought practically advisable,—and many such, he trusted, would be matured and adopted on this most vitally important measure for Scotland—he would only at present beg leave further to express his unfeigned respect for the very able and distinguished individuals that now presided in the courts of law in Scotland. He believed the bench altogether never was more ably filled; and the truly efficient Judges of the outer House—all of whom were, he believed, appointed by his right hon. friend (and their appointment reflected the highest credit upon him), have given great and general satisfaction in the country. And it was because the Judges were so efficient that he rejoiced to see, by the provisions of this bill—although he would have liked it better had the number of Judges been reduced to twelve—yet he rejoiced to see that, henceforth, Scotland was likely to derive a fuller and a juster share of benefit from the labours, the learning, and the talents of the eminent persons who now administered her laws [*cheers*].

Sir *G. Warrender* said, unless the effect of the present measure were to produce a considerable improvement and reduction in the judicial establishments of Scotland, he should be the last man to concur in its adoption. But he thought it would be beneficial as far as it went, and felt grateful for it. He fully concurred in what had fallen from the hon. Baronet on the subject of Fees: he himself had received communications, stating that the middle classes in Scotland were frequently deterred from applying for justice in consequence of the enormous amount of fees. The salaries to clerks derived from fees amounted to 24,000*l.* a year. Another system with regard to fees should be adopted, and the clerk, instead of being paid by fees as at present, should be remunerated in a different manner. There was no point which the people of Scotland were more desirous of having altered than this, for the extent of the Clerks' fees in Scotland amounted in many cases almost to a denial of justice. He did not quite concur with the learned Lord in what he had said regarding the degree of patronage relinquished by Government in the present Bill, because, in his opinion, judicial appointments ought never to be made the subject of patronage. Such had been once the case, but the practice was now changed, and public opinion would not allow it. It had been said that the Scotch bar had been exhausted by the existing judicial appointments, and he thought he could point out to the learned Lord ten or twelve individuals now at the bar well qualified to fill the situation of Judges. He concurred entirely with what had fallen from the hon. Member for Knaresborough on a former occasion—that men might be found in the middle classes of the Scotch bar fully competent to act in a judicial capacity; and it was to be observed in confirmation, that two of the Judges, whose decisions had given most satisfaction, had not enjoyed practice to the extent of 800*l.* a year at the time they were appointed. The measure, as far as it went, was good, and he, therefore, thought that they ought to be grateful to the Government for having adopted it. It was a plan that had for many years been suggested, and he had the fullest expectation that it would be found in every respect to succeed. They were all agreed, he believed, that it was proper to decrease the number of Judges, and he hoped that question would be discussed on its own merits, and without any reference to any proposition for increasing the salaries of those who remain. His right hon. friend (the Lord Advocate) had stated, that though the Judges were now employed six months, their work would be increased. He had also stated that fresh labours were to be added by the Admiralty and Consistorial Courts, and by the Jury Court being united to the Court of Session. With respect to the Consistorial Court, his right hon. friend has answered himself, because he had himself stated that all the important cases in the Consistorial Court came by appeal before the Court of Session. But before the House entered into the supposition that the labours of these Judges were to be increased, it would be as well to look at what their duties now were. By the statute they were required to sit 114 days in the year; but how many hours in those days did they sit? Sometimes not more than one hour, and he believed that if he took the average at three hours, he should make a very fair allowance. If they took their present labour at 300 hours in the year, he believed that, with the proposed additions, it would not amount to more than 438 hours in the year. His right hon. friend had also stated, that the office of Justice-general, which was now a sinecure, was to become, by the new arrangement, an office of business, but without a salary. He believed, from what had been said on a former occasion, that it was the understanding of Parliament, that at the expiration of the existing interest, the office was to be abolished, and he therefore thought that the giving this office to the Lord President was unnecessary. At the same time he was ready to admit, that crime was unfortunately on the increase in Scotland, though he nevertheless thought that the six criminal Judges were fully sufficient to discharge all the duties consequent upon that increase. His right hon. friend, in the course of his speech, had stated the history of the Court of Session pretty fully, as it was constituted in the year 1537, but he had omitted one point of information which, in these times of general distress, was of general interest. When James 5th had instituted the Court of Session, at that period it was observable that he neither imposed a tax on the people for its support, nor exacted any fees from the suitors of the Court. Instead of this, he applied to the Pope, who in this instance acted the part of the reformer, and with his consent he applied some of the ecclesiastical revenues of Scotland for the purpose of discharging the salaries of the officers of the Court. Since that time the expense incurred by this Court had gradually increased; though, as he had stated before, he felt grateful for what the Government had shown itself disposed to do, yet he could not express himself satisfied with even that amount of reduction. Since the year 1799 the whole establishment of that Court had more than doubled. In making this statement, he would not go to the year 1797, nor by that means into the whole question of the currency, but, at all events, he would venture to state, that the whole expenditure of that establishment had increased 120 per cent since the year 1799. By returns which were in his possession—and which, though they were not on the Table of the House, might be, if they were moved for—it appeared that the whole amount paid by the Receiver-general of

Scotland for judicial and civil service, from the 5th January 1828 to the 5th January 1829, was 176,476*l.*, to which 24,700*l.* were to be added as fees paid to the Clerks of Court by the suitors, which made a total of upwards of 201,000*l.* Nor was this all, for in addition to those sums there was a number of those officers to which the suitors paid considerable sums in the shape of fees; and with regard to the Court of Session, the increase had been from 18,100*l.* to 37,300*l.*, which, as he had already stated, was more than double. Now he believed, that though nothing had been said upon the subject, it was well understood that the present measure would be followed up by one proposing to increase the salary of the Scotch Judges. He therefore thought, considering that the additional work proposed was not so great as had been imagined, and that the prices of all things now had so much fallen, that it was out of the question to consent to such an increase. If the returns to landed property were compared with the salary of the Judges in Scotland, it would be found that the Judge was now 1,000*l.* a year better than the Landholder, in reference to the amount of the emoluments of the Judge in 1810, and the income from land in the same year. An estate which produced 2,000*l.* a year in 1810, produced now only from 1,000*l.* to 1,300*l.* a year. It would be but fair and candid, therefore, on his part to state, that whenever a measure was brought forward to increase the salary of the Judges he should strenuously oppose it—not that he had any wish to embarrass or perplex the Government, but because he thought that, in justice to the pockets of the people, he was bound to set his face against such a course. With regard to the Court of Exchequer, he was ready to admit that a great reduction there, was not to be expected. There was no doubt but that that Court ought to be maintained, for it was most useful in its operations; and though he was disposed to say that a general revision as to salaries was not an unfit thing, yet he did not so much wish to push that point to the Court of Exchequer; though, if additional labours were to be imposed upon the Judges of that Court, he thought that they would be fully compensated by allowing them to remain at the really increased salaries which they had already got. Having said thus much, he would not detain the House any longer, but would reserve any further remarks he had to make to the period when the details should be more before the House. He had only, in conclusion, to beg that the Lord Advocate would seriously consider the fee-fund. No tax could be more heavy than that which produced a denial of justice, and of such a nature was this.

Mr. *Fergusson* said, he should abstain at the present moment from giving any opinion on most of the subjects that had been brought before the House by the learned Lord; for, unlearned as he was in the laws of his country—he meant Scotland—he should like to be better acquainted with the opinions of professional men before he hazarded his own. He was capable, however, of forming an opinion of the Lord Advocate, and he begged to say that no one could doubt that the motives of that learned Lord were as pure and as honourable as his exertions were praiseworthy. At the same time he might observe, that he could hardly conceive of any form of case, in aid of which the trial by twelve jurymen as to points of fact, would not be most useful: he therefore thought that it was worthy the attention of the learned Lord to consider whether these trials should be confined to the presidency of two Judges only, as it could not be denied that many of the other Judges were quite competent to the task of presiding over a jury trial. With respect to the reduction of the Court of Admiralty, he thought that that might safely be accomplished, as the causes that came before that Court might as well be tried by the Sheriff or the Court of Session; and, indeed, with respect to maritime cases, it was much more fit that they should come before the last-mentioned Court. With respect to the alterations in the Ecclesiastical Court he was not so well satisfied, as he thought that two Judges ought to be left there in order to give them a jurisdiction. He did not think that the Judges of the Court of Session any more than the Judges of Westminster-hall, could try and determine ecclesiastical causes as well as men who had been trained in that particular department. He did not think that questions of marriage, divorce, and legitimacy, could be safely transferred to such Judges. He, for one, could not agree in the proposition laid down by the learned Lord, that they ought to check litigation by adding to the expense; and as long as the law of Scotland permitted divorce without application to Parliament, he thought that it ought to be as open to the poor as to the rich. Unfortunately such was not the case in this country,—but that was no reason for extending the same measure of injustice to Scotland. The legitimacy of his children was as important to the poor man as it was to the rich man; and he could see no reason for distinguishing between poverty and wealth in such a case. Now in the Consistorial Court the expense to the suitor was not more than 10*l.* or 15*l.*, while in the Court of Session the expense would be not less than 54*l.* But the learned Lord had put it upon the footing that all divorce cases were open to collusion. Even if this were so, the Court did all in its power to prevent that collusion, and in so doing discharged its duty. The learned Lord knew that an oath, denying collusion, was administered in the most solemn manner to parties applying for divorce in Scotland; and the learned Lord also knew, that if collusion could be subsequently proved, the sentence and all the proceedings were null and void. There was no such precaution in this country. He should be inclined to reduce the number of the Judges of the Consistorial Court to two; but he was not at present prepared to agree that the Court should be abolished. With respect to the office of Justice-general, it was one which reflected discredit on every Government that had supported it. It was the patronage with which previous Governments could not afford to part. He, however, sincerely believed that that was not the object of the present Government, but that, as far as they could venture, they were willing to steer a more patriotic course; and he therefore trusted that this night that office would be abolished for ever. As to the reduction of the number of Judges, that would of course depend upon whether the proposed number could transact the business. He was not competent to form an opinion on this subject. With respect to the Court of Exchequer, he thought no further reduction than that proposed could be made in it, if the Court were to exist at all. The hon. Baronet who had preceded him had endeavoured to give the House an account of the number of hours during which the Lords of Session were employed. It might be very true that the Judges were in Court for those hours only, but was that all the time they were occupied? So far from it, there were a vast variety of legal proceedings, which, by the time they came before the Judges, assumed a most voluminous shape, and every word of which was to be read by those learned persons before they could safely come to a conclusion as to their judgment. These documents formed the "record" which came before them, and was very unlike what was usually called the "record" in England. The principal occupation of the Judges of the Court of Session, therefore, was out of Court; and if they sat only a few hours a day in Court, that did not prove that they had little to do. He therefore thought that he was safely warranted in saying that those Judges in Scotland had full as much employment and labour as the Puisne Judges of this country. Looking to the extent to which the Judges in Scotland laboured, and to the fact that they gave up their whole time to the duties of their office—looking, too, at the sacrifice they generally made, in giving up large incomes as barristers, he thought that their salaries ought to be increased. This was his deliberate opinion; and whenever the question came before the House, he should support a motion for increasing their salaries.

Mr. *Home Drummond* said, he could not give a silent vote on that occasion; the measures now brought forward were so much in accordance with those he had recommended last session, that he should give them his cordial support. It gave him great satisfaction to see those measures introduced; and he thought they reflected the highest credit on his hon. and learned friend and the right hon. Secretary of State. They could not justly be charged with being rash innovations, for almost all of them had been under discussion for half a century. Upwards of forty years ago the three points of dividing the Court of Session, of introducing into it trial by jury, and reducing the number of Judges, had been recommended in a very able pamphlet, by a Judge of that Court, the late Lord Swinton, than whom no man ever wrote from a more sincere desire to discover the truth, or more uninfluenced by every other consideration than the public good. The measures introduced by his hon. and learned friend, however, had met with so much approbation in the House, that he did not think it necessary to enter into any arguments to enforce their claims to support. There was only one point to which the hon. and learned Gentleman who spoke last had objected, on which he would say a few words. Every part of the measures had met with that hon. Member's approbation, except the abolition of the Commissary Court, and his objection to the abolition of that Court was, that the Judges of the Court of Session were not so well qualified to decide the peculiar description of cases now decided by the Commissaries as judges more particularly conversant in that department of the law. But the hon. and learned Member seemed to have forgotten that the Judges of the Court of Session received all the most important decisions of the Commissaries, and if they were capable of deciding them on appeal, they must be presumed to understand them in the first instance. He thought there was no doubt of the propriety of giving this jurisdiction to the Court of Session. He was sorry to differ from the learned Lord in his view of the Scotch Court of Exchequer; the Barons of that Court had two descriptions of duties to perform, which he thought it improper to have united in the same bond. They had not only their Judicial duties, but also the duties of Lords of the Treasury, and such duties as are discharged in England by the Commissioners of Woods and Forests. This was a bad arrangement, and the latter ought not to continue united to the Judicial Office. The former did not occupy much of their time, and were chiefly such causes as were daily disposed of without difficulty by the English magistrates at their ordinary Sessions of the Peace. He thought one or two of the Lords of Session might be employed to hear causes in the Court of Exchequer without interfering in the least with their other duties. The argument of the learned Lord against the abolition of this Court was chiefly founded on the Union, which he had been accustomed, from the use he had seen made of it in that House, to consider as a last resource in a bad cause. The learned Lord had no objection to remove the Admiralty Court, but the argument drawn from the Treaty of Union was as strong in favour of the Admiralty Court as in favour of the Court of Exchequer. The great object of that part of the Treaty of Union, was, he believed, to prevent the Administration of Justice being removed from Scotland to England. The people of Scotland were afraid that their Courts might be removed, and therefore it was provided, that "the Administration of Justice should not be taken from them, and given to others," in what they considered a foreign country. It was stipulated that there should be a Court of Exchequer at Edinburgh, but it was not stipulated that Judges who had other duties to discharge, should not also discharge the Judicial duties of the Exchequer as well as those of the Admiralty and Commissary Court; and the Lords of Session would not find the Judicial duties of the Exchequer any great addition to their labours. He concurred in what had been said as to the Fees of Courts, and expenses of Law proceedings, and of conveyances of landed property. But he did not think it expedient, even independently of the burden it would throw upon the country, that clerks and other inferior officers should be entirely paid by salaries. The same principle did not apply here as in the case of Judges, as to whom he was happy to say, there was not one in Scotland, from the highest to the lowest, who had any thing to do with Fees, or with the sale of offices, excepting only one instance of the latter, which would soon be abolished by the measures now in progress. He agreed, however, that it was highly desirable that the Fees of Court and of the practitioners, should be revised, and he hoped the subject would meet with due consideration. He should only add that the grounds on which he had urged the postponement of the question of Salaries last year, being removed by the Motion of the learned Lord, he considered himself pledged to give that measure his support, when it should come before the House.

Colonal *Lindsay* was understood also to approve of the measures, but to dissent from the objections which had been made to increasing the Judges' salary. He did not believe that the rent of land in Scotland had fallen 40-per-cent; and whenever the proposition to increase the Judges' salaries came before the House, he should give it his strenuous support. The salary ought to be raised so as to tempt men of the highest talents to accept the office, and enable them to subsist like gentlemen while they devoted their time to the public service. He was anxious to see public men well paid.

Mr. *Hume* was also anxious to see public men well paid, but he was afraid that his rule for paying public men well differed from that of the hon. Member. There were, at present, he believed, but very few public officers who were not well paid; and should the Administration propose to increase the salaries of the Scotch Judges, they would act very unadvisedly. The test of a sufficient salary was, would it buy the best or sufficiently good services? He should be prepared to show, when the question came before the House, that the Scotch Judges were amply paid. It had been already stated, and correctly stated, that the increase of expense in this department had been greater than in any other. He congratulated the right hon. Gentleman on the measures introduced, and hoped they were only the beginning of improvements. When they were making professions of economy, however, and had these reductions in view, he must express his surprise that they should have lately appointed a Lord Chief Baron, an appointment which was totally uncalled for. There was no man in England who more deserved the appointment than the present Lord Chief Baron; but if he were his own brother, he could not approve of the appointment. That act of the Ministers very much weakened his confidence in their expressions of economy: for at the very moment that they were making the strongest professions, they appointed a Chief Baron, knowing that they meant to reduce two of the Barons of the Exchequer. The duties of the Treasury which were performed in Scotland by the Barons of the Exchequer, were totally inconsistent with their character of Judges. Edinburgh had been brought within forty-eight hours of London; every other public department had been removed, and he did not know why the Treasury should not be removed. The Barons of the Exchequer were at present chiefly employed in managing the business, and dispensing the patronage of the Crown. He intreated the right hon. Gentleman to look at this matter for himself, and not take the opinion of the learned Lord. If he took the advice of some practical men, he was sure that the right hon. Gentleman would take all the patronage of the Treasury out of the hands of the Barons of the Exchequer. All their judicial duties were very light, and might be done with ease; in fact, the duties of the Judges in Scotland were so light, that, unlike the English Judges, they mixed in all sorts of business," and entered into various Societies. They were Directors and Managers of Infirmaries, Commissioners of Bridges and Gaols, Presidents of Public Charities, and members of the Royal Commission to inquire into Academical Instruction in Scotland. The hon. Member quoted the Edinburgh Almanack to show the different offices of this description filled by the Scotch Judges. He did not find English Judges so engaged. The learned Gentleman, who had stated as a reason for augmenting the Judges' salaries that they had a great deal to do, had forgotten that in 1825, the labour of the Judges had been much diminished by the Act which regulated the Courts. The quantity they had now to read was not excessive, and was not a sufficient reason for augmenting their salaries. They had not more labour now than they had when their salary was 922*l.* each, and now they had 2,500*l.* The fees demanded attention, and the sum of 20,000*l.* now paid as fees was enormous. It made justice dear, which ought to be cheap. In conclusion, the hon. Member expressed his satisfaction with the measures proposed, but could not avoid regretting and blaming the appointment of the Chief Baron.

Mr. Secretary *Peel* was happy to find the system so good, that the hon. Member could find out nothing else to blame but that the Judges of Scotland mixed with other classes of society, and engaged in some other business. Among the employments to which the learned Member objected was the being appointed on the Commission to inquire into Academical Instruction; and he stated as an aggravated offence that they were the presidents of charitable Institutions, and the Managers of Infirmaries. All the fault he could find with them was, that they mixed with their fellow citizens. The hon. Gentleman said, that English Judges did not do such things; but he had sent for the Red Book, and on opening it at the Lying-in-Hospital, he found that Mr. Justice Park and Mr. Justice Gazelee were Vice-Presidents [*honorary, said Mr. Hume*]. He found that among the six Vice-Presidents of the Foundling Hospital, there were Lord Tenterden, Mr. Justice Gazelee, and Sir John Nicholl.

Mr. *Hume* said, he could show that they went farther; some of them might be found amongst the Members of Select Vestries.

Mr. *Peel* resumed; the hon. Gentleman charged the Scotch Judges with addicting themselves to secular employments, and instituted comparisons between them and the English Judges, unfavourable to the former, and then he sought to aggravate the charge by saying that the English Judges went a length the Scotch Judges had never been known to go. If that were really and seriously brought as a charge, and sustained in the manner which he had just described, he must be allowed to say that his experience afforded but few parallels to such a mode of parliamentary discussion. It was indeed new to him to hear it brought as matter of accusation against judicial persons, that they were found mixing in deeds of charity with their fellow-citizens at large. The case of the English Judges, to which he had adverted, was certainly such as lay open to no reasonable objection; and he was quite satisfied that the hon. Member for Westminster, who sat opposite, could bear testimony to the benefits which their interference conferred upon the charities with which they were connected. It happened that in Scotland some of them had been appointed Commissioners for the purpose of inquiring into the state of Academical Education, and he should gladly learn what there was in the judicial office to unfit them for such a situation; and he might be allowed to add, that they deserved great credit for the willingness with which they undertook those duties, and the efficiency with which they discharged them. As to the immediate object of the present Motion, he should reserve to himself the right of addressing the House on it at some future occasion—possibly when it came to be discussed in the Committee. As he had a Motion of his own to bring on that night, he might be excused from then saying more.

Mr. *Hume*, in explanation, said, that he did not find fault with the manner in which the right hon. Secretary had treated his argument, seeing that he was himself much in the habit of treating the reasonings of his own opponents with quite as little ceremony; but he hoped the House would allow him to re-state his argument in a manner that would protect it from the attack of the right hon. Gentleman. He instanced the way in which the Scotch Judges spent their leisure as a proof that they had too much idle time on their hands—or if not too much, that they had plenty of leisure, and that the facility which they possessed of engaging in secular matters tended to produce amongst them an indifference respecting the performance of their Judicial duties—their attention was taken off from their Judicial employments.

Sir *C. Forbes* certainly thought it not fair that Scotch Judges should be kept at a salary of 2,500*l.*, while the English Judges had 5,500*l.* As to the present Motion, it had his fullest support, for something like it had been brought forward by himself some years ago, at which time a sort of pledge was given that a measure like the present should obtain the support of his Majesty's Government. He confessed he heard with much surprise the hon. Member opposite say so much to the disparagement of Scotland and of Scotch Functionaries. He could not have believed it possible that the hon. Member would have so endeavoured to lower Scotland in the estimation of his hearers. Scotland, in his opinion, was well entitled to the consideration and respect of the rest of the empire—it paid as much taxes in proportion to its population as any other portion of the United Kingdom. He regretted to say that of late years it had become too much the custom to press upon Scotland—its interests were by no means so well protected as formerly—the English and Irish Members in the Cabinet seemed to him quite to overpower the Scotchmen, and the consequences were, he thought, deeply injurious to the northern part of the island. The hon. Member then defended the Scotch system of jurisprudence, asserting that very rarely did it happen that an innocent man was condemned in any of the Criminal Courts in Scotland. The vote he should give on the present occasion would be in perfect accordance with the whole tenour of his political life. He was not a man to be convinced in despite of his understanding, and he should always support Ministers when he thought their measures right and expedient.

Mr. *Maxwell* said, that the people of Scotland would have reason to feel deeply indebted to Government for having lent their aid in bringing forward the present measure. No doubt there were those who would regard it with distrust and alarm—for some minds were so constituted that they could not help regarding every reform as an innovation, and every change as a deterioration. He thought the Government entitled to high praise for supporting a measure which tended to diminish its own patronage. A reduction of the number of Scotch Judges could not be regarded otherwise than an exercise of self-denial, and a sacrifice on the part of the Government; and he hoped that the general feelings of the Members of that House, and of the country, would do them justice for the noble and better part they had enacted, rather doing what they conceived to be for the public good, than directing their conduct to the advancement of their private ends.

The *Solicitor General* felt great pleasure at witnessing the introduction of the present measure. He wished to see the time of the Scotch Judges fairly occupied; but it would be unjust towards them, and mischievous to the public, to overpower them with business. It was not to be disputed that they, like all men, were entitled to that fair allowance of time for their domestic concerns, and for their amusements, he would add, which was alike just towards them and advantageous to the public, The salaries could never be such as would equal the sums obtained by the very highest men at the Bar; but neither should the Judges be selected from the middle classes of the bar: the public ought to have the services of eminent men in the profession, and of the best lawyers, and that could not be had without liberal payment. It was also important that not only should they live respectably, and in such a style as would command the respect of those whose interest they had to decide on, but they should possess such an income as would enable them to effect such savings as might place them above all anxiety with respect to their families, and enable them to devote themselves solely and exclusively to the duties of their situation—giving themselves, head and heart, to the public service. He entirely approved of that part of the measure which went to put an end to the Commissary Court; it would obviously be most convenient and advantageous to transfer its jurisdiction to a superior Court. Besides, by putting an end to that Court, the public service was relieved from the charge of the various Officers and Ministers belonging to that Court. Something had been said of the Court of Exchequer in Scotland; he was not favourable to its abolition—it was the most ancient Court in Scotland, and he thought that something was due to the feelings of the Scotch Nation. Many hon. Members of that House, who were natives of Scotland, had been heard to say that they would not stand upon the strict letter of the Act of Union in any case where what was proposed appeared to be for the public good: since, then, they acted upon the generous principle and the wise principle of not too closely demanding an observance of the letter of the Act, it behoved the English portion of the Legislature to see that its spirit was in no case violated. Further, he thought it would be not at all conducive to the ends of public justice that the Revenue Laws should be administered in several courts. With respect to the recent appointment to the office of Chief Baron, he could not help reverting to it with extreme satisfaction. The right hon. Gentleman on whom that appointment was conferred, though always in opposition, was chosen by his Majesty's Government to fill the office, and, as might be in the recollection of all who heard him, the appointment was received with universal cheers. Some observations had been made upon the subject of patronage—but surely the House must see that in the present case there was nothing of corrupt or discreditable exercise of patronage. The bar naturally looked up, and so long as human nature remained what it was, would continue to look up to the Government, which had much to bestow—and would continue to look up to it, and be more or less subservient to its wishes, so long as hopes of preferment could reasonably be cherished, and the patronage so producing submission might all the while be exercised with the most perfect correctness; for so long as the matter remained a question of selection between two or three individuals, all equally, or nearly equally qualified, favour might be shown to one or other without the slightest detriment to the public service. A reduction, then, of the number of situations in the gift of the Crown, which might be disposed of in some degree for the purposes of influence, without any disadvantage to the public, was a sacrifice of patronage, for which his Majesty's Government were entitled to unmixed praise. For relinquishing the patronage in the case of the Welsh Judges also, he thought them entitled to unqualified approbation. Upon the subject of the Scotch appeals, he expressed much satisfaction at perceiving that means were to be taken for reducing their amount. At one period a considerable portion of his business lay amongst Scotch appeals, from which he had since retired; but then and now, he confessed, the great number of Scotch appeals, did appear to him most extraordinary, the value of the subjects of the appeal never appeared to his mind to have any thing to do in influencing the minds of the litigants—whether four pounds or four thousand, great or small, they prosecuted their appeal with equal energy. Though he was not able to discover it, there must nevertheless be some cause for that astonishing disproportion between the Scotch appeals and those which were from other parts of the United Kingdom. If the cause were found out, something might probably be done to lessen, without injury to any person, the quantity of business arising from these appeals.

Mr. *R. Gordon* denied, that Ministers were entitled to much praise for having given their support to the present measure. In doing so they did nothing more than their duty—it was their first and most imperative duty to get rid of unnecessary offices, and more especially was it the duty of the present Government, seeing the circumstances of the country and the pledges which the Ministers of the Crown had given to Parliament. An hon. Member, on the opposite side of the House, had said, that the happy days of Scotland had passed away—that it no longer possessed those prompt and powerful advocates so devotedly at its service in former times; hereby the removal from Scotland of the means of corruption was calculated rather to raise than to depress that country. They had been told of the recent appointment of the Lord Chief Baron, and it was stated as a circumstance highly meritorious in that appointment, and cancelling all the evils of the office, that the person appointed to fill it was in the habit of sitting on that side of the House. It was of little importance, in his opinion, whether the individual appointed to that place were a Whig or a Tory—if the office were a useless office it ought to be abolished, no matter who filled it; whether it were conferred as a reward for past services, or a lure for future subserviency, if the office were useless it ought to be abolished. As to the particular measure then under consideration, he hoped and believed that it would give general satisfaction; he was quite sure that the intentions of his Majesty's Ministers were good, and he hoped that, while they were reducing one set of offices, pretexts would not be found for the creation of others.

The *Lord-Advocate*, in reply, expressed his gratification that the measure had appeared so generally satisfactory. The most important suggestion that had been thrown out was, the remark of his hon. and learned friend, the Solicitor-general, respecting appeals. He (the Lord Advocate) should certainly look into the subject; but he could tell him that one main cause of the number of Scotch appeals arose from the advantages which appellants had in carrying a cause from a court where the Scotch law was known and easily applied, to a tribunal where it was, comparatively speaking, unknown. With respect to the proposed augmentation of the Judges salaries, in his opinion that was necessary, and would be beneficial to the country.

Leave given and Bill brought in under the following title: "A Bill for uniting the benefits of Jury Trial in Civil Causes with the ordinary jurisdiction of the Court of Session, and for making certain other alterations and reductions in the Judicial Establishments of Scotland."

LAW OF FORGERY.] Mr. Secretary *Peel* was not disposed at that hour to persevere in the Motion with respect to the Law of Forgery, of which he had given notice, but that he felt it absolutely necessary to do so in order to the successful introduction of any Legislative measure which might have the chance of passing into a law during the present Session. In the course of the prosecution of the task he had undertaken,—namely, the Revision and Amendment of the Criminal Law—the crime of forgery had appeared to him to occupy a most important station in the list of offences, and to it he was now anxious to direct the attention of the Legislature. Before he stated the object he had in view in the amendment of the laws respecting forgery, he hoped the House would permit him to present them with a slight view of the existing laws on that subject, and the way in which they arrived at their present extent. Originally there was no statute law relating to forgery. Up to the time of queen Elizabeth the punishments for forgery were inflicted under the common law; and it was not until the fifth year of the reign of that Queen that a statute was passed inflicting a penalty on the offence of forging documents relating to real property. That penalty, however, did not extend to the punishment of death. The statute authorised imprisonment for life, the pillory, branding and loss of ears, according to the nature of the offence. It was not, indeed, until the reign of king William that any statute imposed the punishment of death. At that time the Bank of England was established, and the punishment of death was awarded to those who forged the negociable securities of that establishment, but in all other respects the punishments for forgery remained the same from the time of queen Elizabeth until the reign of George 2nd. In the year 1728, however, in that reign, a very material addition was made to the list of offences punishable as forgeries—the issuing of forged promissory notes and bills of exchange being made a capital offence. He believed there could be very little doubt that the extreme rigour adopted at this particular time on the subject of forgery, was owing to the alarms created by the very extensive and somewhat extraordinary forgeries of an individual, a full account of whose depredations would be found in the State Trials of that period. It appeared that this person, whose name was Hale, committed a number of forgeries on a Member of that House, named Gibson. One bill was for 1,600*l.*, another for 400*l.*, another for 700*l.*, and one for 6,500*l.* At that time it was the practice of a Member, in franking a letter, to write his name with the word "free" in the corner, leaving the superscription to be filled up in the writing of the person sending the letter. Hale, it appeared, procured a number of these franks, and having changed the words "free" into "for R. Gibson," and then filled up the blank at pleasure, he was thus able to commit the forgery with ease. He had little doubt that the indignation and alarm produced by this forgery were the principal causes of the enactment of the laws to which he alluded; but in consequence of the extension of trade, the statutes on the subject of forgery were subsequently increased to a great extent, each department bringing in, with very little consideration, an Act to punish the forgeries applicable to their own business. To such a magnitude had this evil arisen at the time Mr. Justice Blackstone wrote his Commentaries, that he observes, with respect to the Law of Forgery—"In addition to the number of general and special commissions, there was not a forgery which could be practised on a real or a fictitious person, for which a law did not exist which made the crime a capital offence." He believed, indeed, that the whole number of statutes on the subject amounted to 120. These statutes might be divided properly into two classes. Those relating to public and general affairs, and those relating to official and departmental. In the first class might be comprised all documents relating to the public funds and to negociable securities—to bills of exchange and promissory notes, and all documents connected with the transfer of property—all papers relating to marriage settlements and testamentary bequests, and registers in public offices. Under the second head, the official and departmental, might be included all documents connected with the Navy and the Army, the Customs, the Excise, the Post-office, and Greenwich or Chelsea Hospitals—every Act relating to which contained some enactments on the subject of forgery. In attempting, then, to consider what course was to be pursued, he felt there were not many difficulties to be overcome with reference to the general and public securities which were transferable and negociable, but that there were very great difficulties in the way when they came to deal with the official and departmental. To take, for instance, of the latter class, the Act relating to the land-tax. In that Act there were 200 separate clauses, although only one of them related to forgery, but then that clause, the 194th section, overruled and referred to the whole of the other clauses, and expressly declared, that the penalty affixed to the crime of forgery attached to forging the documents referred to in the preceding clauses. In the same manner the Navy Pay Act contained twenty clauses, and the clause relating to the forgeries of orders for pensions and other documents referred to all the clauses contained in the Act. If, therefore, he merely took out the forgery clause, and did not alter the whole of the Act, he did nothing in the way of a consolidation of the Law of Forgery, and left the offences unprovided for. Now he proposed to meet the difficulty in this way. He proposed to leave to each department the task of revising and altering the Acts connected with it. The Customs had 360 acts connected with that department, and they had already reduced them to the number of ten. The Stamp-office was engaged in the same task. The Navy Pay-office, and those connected with the hospitals, were engaged in the same task, and he was informed that in a short time the whole of the Acts relating to them would be reduced into a very small compass. He proposed then to repeal all the Acts which inflicted a capital punishment for forgery, whether the offence be either public or departmental, and to name a certain description of offences for which, and no other, the punishment of death was to be inflicted. Of the 120 statutes to which he had alluded, 61 inflicted the punishment of death. The Bill he proposed would contain only four clauses, and in them he proposed to consolidate the whole statute law relating to forgery. It would contain in one clause a distinct enumeration of all forgeries for which the punishment of death was to be inflicted, whether the offence was committed on the general or the departmental class, and the Act would, therefore, consolidate the whole of the laws relating to forgery in all public and private affairs. He thought it a most important object to diminish, as much as possible, the number of offences to which the punishment of death had been attached. He had, indeed, no hesitation in avowing, that he was a strong advocate for the mitigation of capital punishments. He wished to remove, in all cases where it was practicable, the punishment of death; for it was impossible to conceal from ourselves, that capital punishments were more frequent, and the criminal code more severe, on the whole, in this country, than in any country in the world. It was better, however, to proceed cautiously, so as not to embarrass their judicial functions, in the event of any increase of crime taking place, and that increase being attributed to the laxity of punishment they had introduced. They had, however, both reduced the number of offences for which death was inflicted; and that punishment had also, in all cases, been more sparingly applied. On a comparison of the number of executions in London and Middlesex, in time of war and peace, it appeared they were much more numerous in time of peace. Whether it was, that dishonest and profligate persons were carried off by the demands of war, or that the quantity of employment was greater for all, it was impossible to say; but the fact was so, as the return sufficiently proved. In the seven years of peace which succeeded the year 1783, although the number of the population was less and the number of crimes less, yet the executions were much more numerous than at any former or succeeding period. The executions in the seven years amounted to 378, or 56 on an average in each year. In 1787, 97 executions. And now, taking the seven years from 1816 to 1822 both inclusive, the executions were only 192, or an average of 27 each year; and in the last seven years, from 1822 to 1829, there were only 122 executions, making an average of 17 each year, or about one-third of the executions of 1784. He would now proceed to state the offences on which he proposed to remit the punishment of death. The great principle to which he adhered was, to confine that punishment to the forgery of negociable and transferable securities, and to everything which represented money. He might add to them the forgery of the Great Seal, the Privy Seal, and the Sign Manual. He should also add the forgery of wills of personal property. In documents of that kind no witnesses were necessary, and as they were generally not produced till the death of the parties, and might therefore be made the instruments of great deception, and cause great injury to families, he had thought it right with regard to them to retain the capital punishment. He added to these all false entries relative to public stocks. All forgeries of promissory notes—all fraudulent attempts to procure money—all forgeries of the notes of the Bank of England—in fact, all documents representing money, or which came under the denomination of negociable or transferable securities. In the cases where he remitted the punishment of death, he was confident there would be much difference of opinion as to their propriety, and that some persons would be inclined to suppose he had not gone far enough, and others much too far; but he was of opinion that there would be more security in that course, and that a great deal of good might be done by the increased caution which these exceptions would introduce. He proposed, therefore, to except from the punishment of death all forgeries of receipts for money and goods—all issuing of forged stamps, or forgeries of stamps—all attempts to defraud by forged orders—all fabrications of bank paper, that is, the paper on which notes are stamped—all forgeries of deeds and bonds, and every document which did not come under the class he had named, and which were not negociable or transferable securities. For these offences death was now very rarely inflicted, and he was ready to admit that it ought not to be inflicted. He had been guided in this course by the opinion of the Committee which sat to inquire into the Criminal Code in 1819. The Report of that Committee says, "it has sometimes been said, that the abolition of penal laws, which have fallen into disuse, is of little advantage to the community. Your Committee consider this opinion as an error. They forbear to enlarge on the striking remark of Lord Bacon, that all such laws weaken and disarm other parts of the criminal system. The frequent occurrence of the unexecuted threat of death in a criminal code tends to rob that punishment of all its terrors, and to enervate the general authority of the government and the laws. The multiplication of this threat in the laws of England has brought on them and the nation a character of harshness and cruelty which evidence of a mild administration of them will not entirely remove. Repeal silences the objection. Reasoning, founded on lenient exercise of authority, whatever its force may be, is not calculated to make a general and deep impression. The removal of disuses is a preliminary operation which greatly facilitates a just estimate (and where it is necessary), an effectual reform of those laws which are to remain in activity. Were capital punishments reduced to the comparatively small number of cases in which they are usually inflicted, it would become a much simpler operation to form a right judgment of their propriety or necessity. Another consideration of still greater moment presents itself on this part of the subject; penal laws are sometimes called into activity after long disuse, and in cases where their very existence may be unknown to the best-informed part of the community; malicious prosecutors set them in motion; a mistaken administration of the law may apply them to purposes for which they were not intended, and which they are calculated more to defeat than to promote; such seems to have been the case of the person who in the year 1814, at the assizes of Essex, was capitally convicted of the offence of cutting down trees, and who, in spite of the earnest applications for mercy from the prosecutor, the committing magistrate, and the whole neighbourhood, was executed, apparently because he was believed to be habitually engaged in other offences, for none of which however he had been convicted or tried." The right hon. Gentleman then eulogised Lord Bacon, who contended in his works for the principles he now asserted; and having adverted to the wonderful sagacity which that great man displayed, he expressed his surprise that any persons in authority could have perused his recommendations, and left it to the present day to carry them into effect. He confessed he never heard the name of Lord Bacon without feeling the force of those lines of Cowley, which he thought very preferable to those celebrated verses of Pope, in which he described him connecting together his glory and his disgrace, as at once the greatest and the meanest of mankind. Cowley's commendation was contained in his Address to the Royal Society, and his comparison of Bacon to Moses might be extended beyond the bounds of learning and philosophy. If he had not led statesmen and society out of the wilderness, he had pointed out the path. That glory was his, the neglect was his successors.

"Bacon, like Moses, led us forth at last,
The barren Wilderness he past,
Did on the very border stand
Of the blest Promised Land,
And from the mountain-top of his exalted wit,
Saw it himself, and shewed us it."

Before making his present proposition, he had referred to the Bill of 1821, which had been read a third time in that House, but did not pass into a law, and he found that there was no very material variation in the principle of the two measures. He had also referred to the Code Napoleon, and he also found that there was no very material variation in the principle of his proposition and that of the Code Napoleon. There was one peculiar reason for being cautious in their advances towards the mitigation of the punishment of forgery: it was an offence chiefly committed by persons of ability and information, and whose ability and information frequently gave them the means of committing it to a great extent: for instance, in the case of Fauntleroy, the forgeries which he committed amounted to above 400,000*l*. If the capital punishment were entirely remitted, some secondary punishment must be substituted. Now, however mischievous and extensive was the crime of Fauntleroy, he was quite sure that if such a person had been sentenced to such a punishment as two years' hard labour on the public roads, the sympathy of the public would soon have been excited at seeing him degraded to the condition of associating with the commonest and vulgarest criminals. If he had been sent to New South Wales, such a man in that colony would have found that transportation was the slightest punishment that could have been inflicted on him. Looking at these and other considerations, he must deprecate the sudden and entire cessation of the punishment of death for forgery. Let the effect of the measure which he was now proposing be watched. Desirous as they all were of gradually mitigating the severity of our criminal code, he entreated the House not to load such a disposition with the opprobrium which might be cast upon it, should premature efforts prove injurious. Let the progress be gradual and cautious, and he was confident that the object would eventually be attained. It ought to be recollected that the number of offences to which the present law applied was very considerable. Upon the average, every one of the sixty-one Acts which he had described comprehended five distinct offences. Of this, however, he was persuaded, that the mitigation of the punishment would diminish the present facilities which the offender had of escape. It would insure his conviction. There were offences connected with forgery which the existing law did not touch. One, and that a very great one, was the forging of acceptances of individuals on foreign bills of exchange: he doubted if any penalty whatever attached at present to such a crime. It was his intention, however, to remove that doubt, by comprehending the offence in the provisions of his Bill. There were several other offences, the punishment of which was at least doubtful. If an English person dying at Paris made a will, and another will was forged, that offence ought to be subjected to the same punishment as the forging of a will in this country. He meant, therefore, to propose, that it be enacted, that wherever a document of that nature was executed, the punishment of forging it should be the same as if it had been executed in this country. He proposed also to remove a great imperfection in the law, by proposing to alter the law of venue; and to dispense with the necessity of proving the place where the forgery was committed, provided the fact itself were proved. He was ashamed to trespass so long on the attention of the House; but he trusted the importance of the subject would be his apology. The right hon. Gentleman here briefly recapitulated the objects, as they regarded forgery, which his Bill contemplated. Connected with the Law of Forgery was the Law of Coining. It was his intention to propose the consolidation of all the laws having reference to Coining, and to mitigate the law with respect to capital punishment, as it affected one offence, in the same manner as he proposed to mitigate it as it affected the other. Should these Bills pass during the present Session of Parliament, little would remain to be done in the consolidation of the Criminal Law. He had been encouraged to pursue the course which he was pursuing, by the fact, that in no single instance had what had hitherto been done proved injurious. Although so many statutes had been repealed by his former measures, no evil consequence whatever had resulted. He could not conclude without repeating his deep obligations to the two gentlemen whose invaluable assistance he had obtained in the preparation of his measure. The one was Mr. Hobhouse, who, having fulfilled the duties of Under Secretary of State for several years with great zeal and ability, had retired into private life, retaining his disposition to be serviceable to the public. The other was his friend Mr. Gregson, whose aid had been most material. Nothing could exceed the zeal of that gentleman in the work; and to him and to Mr. Hobhouse the country was greatly indebted for their persevering exertions. The right hon. Gentleman concluded by asking leave to bring in a Bill to amend the Law relating to Forgery.

Mr. *Fowell Buxton* said, that though he could not but be disappointed at some parts of the speech of the right hon. Gentleman, there was much in his statements which met with his cordial approbation. It was but justice to him to declare, that he had introduced very many, and very great improvements into our criminal law. The right hon. Gentleman had, in former years, swept away a multitude of capital enactments, in which the crime on the one hand, and the penalty on the other, were so utterly at variance, and in such monstrous disproportion, that those laws never were, and never could be, carried into execution. Again, he had rendered the law clear and definite, by collecting into one statute enactments which had previously been scattered over many. Again, he had given us a vigilant and effective police. He had improved the discipline of our gaols, and to such an extent, that while in former times England stood as low, or lower than any nation of Europe, in that respect, it was not, perhaps, too much to say that now she equalled, perhaps surpassed, every other country. Finally, he had rendered our secondary punishments efficient; transportation had in former days been a bounty upon crimes; the condition of those who were so fortunate as to be convicted of a transportable offence was positively improved. Under the administration of the right hon. Gentleman, this was no longer the case. For these benefits, he, for one, felt grateful; but nothing that had been said or done by the right hon. Gentleman had afforded him so much satisfaction as the language and the sentiments which he had this night promulgated. Not that he (Mr. Buxton) thought that the right hon. Gentleman had gone far enough,—not that he thought that right hon. Gentleman had acted up to his own principles, still less to those of Lord Bacon,—not that he thought that the law as to forgery, after passing through his hands, would not retain a great deal too much of its original ferocity,—but this was his satisfaction, that the enlightened mind of the right hon. Gentleman was turned to the consideration of the question; and he knew that that inquiry, if pursued, would inevitably lead him to the conclusion, that excessive severity defeats its own purpose, and causes the crimes which it is intended to repress. His hon. friend (Sir James Mackintosh) much lamented his inability to attend in the discussion of a question in which he felt so deep an interest, and in the advancement of which he had so large a share. He had commissioned him (Mr. Buxton) to announce his intention of introducing a bill, repealing the penalty of death for forgery. He was also disposed to introduce one sweeping measure, confining punishment of death to cases of murderous violence. Whenever he introduced those measures, Sir J. Mackintosh should have his cordial support. Whether he would persevere in his intentions this Session, after the concessions of the right hon. Gentleman, it was not for him to determine. Understanding that what had been done to-night by the right hon. Gentleman was only a forerunner of larger improvements, he should be not dissatisfied if the matter were left for the present in the hands of the right hon. Gentleman, and he could not but confess, that the country had gained a great deal, if they gained no more during this Session than what had been conceded this night.

Mr. *Lennard*, also expressed the great satisfaction with which he had listened to the right hon. Gentleman. At the same time he regretted that the right hon. Gentleman had not gone further. He did not, however, distrust the right hon. Gentleman, and therefore looked forward with hope to a future period when more would be done. The right hon. Gentleman had spoken of the difficulty of fixing on a secondary punishment as an obstacle in the way of abolishing the punishment of death. Now, although hard labour in the country might not be a fitting punishment, he did not see why hard labour in the West Indies, or other colonies, might not be so. In his opinion, the fear of it would operate more effectually to deter from the commission of crime than the fear of capital punishment. Among other things, the country was greatly indebted to the right hon. Gentleman for this, that he had relieved the question of the mitigation of the Penal Code from the odium of being considered a party question. He remembered the time when every proposition similar to that of the right hon. Gentleman was considered to be made in hostility to the Government and the laws. The right hon. Gentleman had the high credit of having destroyed all such prejudices.

Mr. *Spring Rice*, entertaining the same feelings which had been expressed by his hon. friends who preceded him, could not remain entirely silent on an occasion so interesting to humanity and the public good. He thought that the mode which the right hon. Gentleman had adopted was very ingenious, and was well calculated to diminish the obstacles in the way of the attainment of his wish. For his exertion the right hon. Gentleman would receive that most gratifying reward, the approbation and applause of every man in the country whose approbation and applause were valuable. He hoped, however, that the right hon. Gentleman would attend to the Departmental Bill as well as to that for which he had that evening moved. While, however, he admitted the great obligations which the country owed to the right hon. Gentleman for what he had already done, and while he was anxious not to urge him beyond a wholesome speed, being satisfied, on the contrary, that to outrun the public feeling, or to create an alarm out of doors, would be most pernicious to a system which could be advantageously supported only by public opinion—he regretted that the right hon. Gentleman had not at once determined to go further. But although the right hon. Gentleman had postponed the consummation for which he (Mr. Spring Rice) wished, he was persuaded that he had not postponed it indefinitely; but that his object was, to approach it by degrees and with caution. On one point, however, in the proposed measure, he would take the liberty of remarking. The right hon. Gentleman proposed to retain the capital punishment as applicable to the forging of Promissory Notes and Bills of Exchange. Now, in his opinion, Bills of Exchange and Promissory Notes stood on different grounds; and however grave the offence of forging Bills of Exchange, it was not to be compared to the offence of forging Promissory Notes, which passed at once, and without difficulty, from hand to hand. He confessed, therefore, that he should think the right hon. Gentleman's Bill more perfect if it removed capital punishment from the offence of forging Bills of Exchange. He wished that the discussion had come on earlier, that he might have entered more into the question.

Mr. Alderman *Thompson* would not acknowledge any difference in the offences of forging Bank Notes and Bills of Exchange. Immense sums were employed in London in the discount of bills, and every protection ought to be given to them against forgery.

Mr. *Trant* thought, the country would be disappointed on learning that a greater mitigation, or rather the total abolition of the punishment of death, had not been proposed. He declared that were he a juryman, and had to give his verdict on a man who had been guilty of sheep-stealing, he would rather commit the minor crime of perjury, by giving a verdict contrary to his oath, than, by condemning the man, be accessory to what he considered nothing short of the crime of murder.

Mr. *Martin* could not make up his mind to the total abolition of the punishment of death; but if such a measure were to be adopted, it should at all events be carried slowly into effect. He had, therefore, heard the right hon. Gentleman's statement with great satisfaction.

The *Solicitor General* said, he should be sorry if the measure of his right hon. friend should be construed into a preliminary for abolishing the punishment of death. He believed great alarm would be excited in the country if it was understood that this was only a preparatory step to that measure. Whatever might be the opinions of enlightened persons, the country at large was not prepared for the abolition of capital punishments. If the measure was found to work well, then the House might go a little further.

Mr. *Benson* was of opinion that the right hon. Gentleman had gone as far as the state of feeling in the country would allow him.

Leave was then given to bring in the Bill, which being done by Mr. Peel, it was read a first time, and the second reading fixed for Monday, the 26th of April.

HOUSE OF LORDS.

Friday, April 2.

Minutes.] The Suits in Equity Bill was read a second time. The Smugglers' Families Maintenance Bill was also read a second time. Lord J. Russell, and other Members of the Commons, brought up the St. Giles's Vestry Bill, which was read a first time.

Returns Ordered. On the Motion of the Earl of Rosebery, [who said that seeing by the Votes of the other House that a Bill had been introduced into it for Altering and Reforming the Court of Session in Scotland, which would bring the whole subject of the Court of Session necessarily under their Lordships' consideration, he would move for a return] of the state of the Court of Session Fee Fund, established by the 50th Geo. III. cap. 112, from the 21st June, 1821, to the latest period.

Petitions Presented, Against the Renewal of the East India Company's Charter—By Lord Wharncliffe, from the inhabitants of Pudsey, Bowling, and Bierley; from Stanningly and Alverthorp:—By Lord Holland, from Swannington, in the County of Derby:—By Lord Auckland, from Hunslet, Gomershall, Soothill, and Shipley:—By the Marquis of Lansdown, from Arbroath, for the holding of the Assizes for the West Riding of the County of York, at Wakefield:—By Lord Wharncliffe, from the inhabitants of Henley, Shepley, and Dalton, for the Amelioration of the Criminal Code:—By the Bishop of London, from the inhabitants of the Tower District, and from Spratton, and Creaton:—By the Earl of Chichester, from Lewes, and by the Marquis of Lansdown, from Warrington, for the removal of Disabilities from the Jews:—By the Duke of Norfolk, from the Jews inhabiting the West of London, Chatham, and Rochester.

[The noble Duke said he warmly supported the prayer of these Petitions.]

By Lord KING, from the Jews inhabiting the Southern District of London; and by the Earl of CARNARVON, from the Jews of Portsmouth. For inquiring into the Corporation and Crown Lands of Ireland:—By Lord KING, from Thomas Flanagan. Against Suttees—By Lord AUCKLAND, from Dissenting Congregations at Southport, and North Meols:—By Earl GOWER, from Dissenting Congregations at Shelton, Burslem, Lane End, Lane Delph, and Newcastle-Under-Lyne. And for the Extension of the Poor-laws to Ireland:—By the Earl of DARNLEY, from John Lawless.

GREECE.] Lord *Holland*, seeing the noble Secretary of State for Foreign Affairs in his place, wished to put a question to him on a subject in which the public took much interest. The noble Secretary, at the beginning of the Session, had stated that the negociations relative to the Settlement of Greece were so far advanced, that he hoped soon to be able to lay the papers on the Table. What he wished to ask was, whether any unforeseen delay had occurred? and if there had, whether the delay was on account of mere matter of form or not? The noble Secretary must be well aware that this was a matter in which the public felt a great interest, and therefore it would be desirable that he should mention at what time he expected to be able to lay the papers on the Table.

The Earl of *Aberdeen* could not exactly fix on a time when he should be able to produce the papers; but he had hopes that he should be able to do so soon after the holidays. The noble Earl stated in reply to a further question from Lord Holland, that as to the cause of the delay, there were some points still to be settled; but the three Powers were acting in complete concert.

AMENDMENT OF THE LAW.] The Marquis of *Lansdown* wished to put a question to the noble and learned Lord on the Woolsack, relative to the projected Amendments in Law Procedure. In one of the reports of the Real Property Commissioners, they had suggested some most valuable regulations relative to fines and recoveries, the levying and suffering of which were attended with great delay and expense, and hazard. Among the bills brought into the House for carrying into effect the legal improvements, he did not perceive that there was one on the point which he had mentioned; and he wished to know from the noble Lord, whether he had it in view to bring forward a bill on that head in the course of the present Session?

The *Lord Chancellor* replied, that he had no intention to propose a measure of the kind at present, and the reason was, that the Amendments suggested by the Real Property Commissioners were so much connected with each other, that it was hazardous to legislate on one point until they had a general view of the whole, and this had been suggested by the Commissioners themselves in their first Report. But the noble Marquis might be assured that he would pay every attention to the subject.

ALGIERS.] The Marquis of *Clanricarde*, seeing the noble Foreign Secretary in his place, wished to ask him a question on a subject of considerable importance. Their Lordships were aware that the French were preparing an expedition against Algiers, and he was desirous to know whether the Government of France was in communication with our Government on the subject of that expedition?

The Earl of *Aberdeen* replied, that the two Governments were in communication on the subject, and that Ministers had not observed any indisposition on the part of the French Government to afford the most satisfactory explanations.

EAST RETFORD WITNESSES' BILL.] The Marquis of *Salisbury* rose to move the third reading of the East Retford Witnesses' Indemnity Bill. It had been so much the practice to pass bills of this kind under similar circumstances, that he thought it would pass as a matter of course, and therefore he had not given long notice before he brought in this Bill. He certainly had no intention to smuggle it through the House, for he had not anticipated opposition, especially from the noble Lords opposite. Now he understood that a noble Lord (Holland) on the opposite side meant to oppose it on account both of its principle and its provisions. He had, therefore, thought proper to inquire into the practice of their Lordships' House, and he found that it had been the practice to pass bills of that kind, under similar circumstances, for nearly a century. It had happened in three instances lately, and it would be impossible to get the witnesses to attend to give evidence in a case of this kind, unless they were indemnified from the consequences of criminating themselves. He hoped, therefore, that the noble Lords who so ably supported him in the Penryn case would assist him now, and he must say that the noble Lord's opposition came rather late, when it was reserved for the third reading of the Bill. He had moved that witnesses in this case of East Retford should be examined at the Bar of their Lordships' House, and he considered it absolutely necessary so follow up that motion with the bringing in of this Bill to indemnify the witnesses, who could hardly be called upon to answer questions tending to criminate themselves without an indemnity of this description. In so doing, he had only followed the usual practice of their Lordships' House in similar cases. This had been done in the Shoreham case, in 1771, and afterwards in 1782, and in the late cases. But he had thought it his duty to look farther back, and he found that the principle and practice were referred to in an Address of this House relative to the famous case of Ashby and White. It was there stated, that the elective franchise was incident to the freehold, or founded on custom, and constituted a civil right which this House could not take away without an examination of witnesses at the Bar, that the parties who might think themselves aggrieved might have an opportunity of defending themselves and their property. This, then, was evidently the practice of this House for a long time, and was founded on the principle that the House ought to be peculiarly tender in meddling with private property; and that, therefore, every possible opportunity ought to be afforded to the persons affected by a bill like the East Retford Bill, to express their dissent, and to defend themselves and their rights. So peculiarly delicate was the House in meddling with matters of private property, that they had no less than sixteen Standing Orders relating to that particular subject. The noble Lord, he understood, meant to contend that there was no reason for examining witnesses at all; but if they did not examine witnesses they had no other alternatives than to throw out the Bill, or condemn the parties unheard, and without allowing them an opportunity to defend themselves and their property. If they did examine witnesses, then, in order to be able to do so with effect, they must pass this Bill of Indemnity. As to the expediency of the thing, he thought that the experience of former precedents was in favour of the Bill in that view, and it was certainly not very fitting that they should by a side wind destroy a practice which had prevailed for such a long series of years. But he had heard that it was the intention of the noble Lord to contend that the examination of witnesses was not necessary in this case, because this was not a disfranchising or a disqualifying bill, but merely a bill to extend the franchise to the Hundred of Bassetlaw. He did not mean to say that he was much of a lawyer, but looking at the common sense of the thing, he thought that it was a very different matter for a person to have an elective franchise, which he exercised as one of a hundred, or one which he exercised as one of a thousand. Upon the whole he thought the examination of witnesses in this case was founded on principle, practice, and precedent, from which their Lordships ought not to depart; and if witnesses were to be examined, it was necessary to pass this Bill.

Lord *Holland* did not mean to accuse the noble Marquis of attempting to smuggle the Bill through the House, but he regretted that the attention of the House had not been more prominently directed to it in an earlier stage, although he freely acquitted the noble Marquis of an attempt to take the House by surprise. The noble Marquis had said that his opposition had come rather late; and he admitted that he ought to have urged his objections when the Bill was brought in, or on the second reading, and if he had done so, it would have been so much more for the advantage of his argument; but, unfortunately, his attention had not been called to it. The noble Marquis had supposed many grounds for his opposition to the Bill, and had endeavoured to upset them, apparently much to his own satisfaction. The noble Marquis had started many hares, but he had not started the real game, which he would find too strong to deal with. His objection was not so much to the principle of the Bill, nor to its provisions, as to the time, the manner, and the circumstances. The bill with reference to which this Bill was brought in, was called a bill to prevent Bribery and Corruption at the Election of Members of Parliament for the Borough of East Retford, and he maintained that the examination of witnesses at their Lordships' Bar would be not only useless, but be attended with injury to the public. The matter had been examined in an Election Committee of the other House—the proper tribunal appointed by law for the purpose—and there was no petition either for or against that bill. The precedents mentioned by the noble Marquis did not apply in this case, for it was one in which there was no necessity for the examination of witnesses to prove the preamble of the bill, and therefore no occasion for a bill to save the witnesses from the consequences of criminating themselves. There were three species of bills usually brought before Parliament—one sort of bills dealing with Private Property, another sort called bills of Pains and Penalties, and a third sort having for their object some advantage to the community, and called Public Bills. In the cases of the two first of these kinds of bills it might be necessary to call witnesses to prove the allegations in the preambles to the bills; but this was a bill of the third description, or a public bill, in which there was no necessity for calling witnesses to prove the preamble; for, notwithstanding what had been said by the noble Marquis, he maintained that this was not a bill in the nature of a bill of Pains and Penalties. He denied that the measure for the disfranchisement of East Retford partook, as was contended, of the nature of a bill of Pains and Penalties. It disfranchised no individual by name, and as an individual, its effect merely was, to extend the franchise—it left all who were already in possession still in undisturbed enjoyment of their rights—it only increased the number of those on whom the right was conferred; that certainly would diminish the value of the right, considered merely as a source of profit; but as a trust, which it indisputably was, that view of the question could not be recognised. Neither in the frame or nature of the Bill did it partake of the nature of a bill of Pains and Penalties—if it did, the House, in its merciful consideration, would have recourse to those wise and safe forms from which, in no case affecting rights or property, did it ever depart. A most material objection to the Bill then before them was, that it pre-supposed the insufficiency of the evidence upon the Disfranchisement bill; and in his apprehension, it was scarcely an expedient proceeding to declare that evidence insufficient which had enabled the House of Commons to come to a decision. That evidence was brought regularly before a competent tribunal (a Select Committee of the House of Commons), and he conceived that the evidence then produced would suffice at their Lordships' bar. He asserted that the Bill in question was not a bill of Pains and Penalties, and he did so upon the broad principle that the elective franchise was not a right or a property, but a trust, subject to abuse; and which the Legislature might alter, revoke, modify, or transfer, as it thought proper. If in doing so it produced any consequences injurious to individuals, it would be perfectly competent to them to come before a Parliament whose doors were never closed against those who had real grievances to complain of. The bill respecting Shoreham incapacitated individuals, and was so far different from the East Retford Bill; but he attached no great importance to the precedent, and would not trouble their Lordships with any notice of it; but there could be no doubt that it did inflict punishment upon some individuals, and therefore was in part a bill of Pains and Penalties—it was a bill for putting an end to the fraud, hypocrisy, and corruption of a set of men desiring to assume a plausible appellation—calling themselves a Christian Society—whose object was, to get possession of the borough and bring it to the best market. The bill in that case was to throw the franchise into the neighbouring hundred. The bill, in the emphatic language of Lord Chatham, was a bill having two objects—one of which was, to transfer the elective franchise from the Banks of the Ganges to the English county of Sussex. On account of the mixed nature of the bill, it was considered a bill of Pains and Penalties. In that case evidence was considered necessary; but in the bills introduced in the Cricklade or Aylesbury cases, there was nothing which could warrant their being justly considered as bills of Pains and Penalties. From the notion, indeed, conceived of the double object of the New Shoreham bill, the same course was followed as to evidence in other cases. In the Aylesbury case two petitions were presented, one for and another against the bill, but the course taken by the House in that case was, that the counsel and witnesses in favour of the bill were ordered to withdraw, and the counsel against the bill were heard in the first instance. If the measure to which the present bill had reference were a bill of Pains and Penalties, there could be no doubt that the course proposed would be the proper and legitimate course. For the duty of the House would be, to see that the allegations contained in the preamble of the Bill were proved. The House acted in some sort in the capacity of a public prosecutor, the *onus probandi* lay upon it, and it was bound to prove the preamble before it inflicted punishment. In a question of property, likewise, the same course was to be pursued, and for similar reasons. As the persons by whom the privilege was enjoyed held it, not as a property, but as a trust, there could be no question that they stood quite in a different relation from those who came before their Lordships as liable to injury from a bill of Pains and Penalties. Then, if it should appear—as no doubt it did, from the evidence before the Committee of the House of Commons—that the electors of that borough had been guilty of polluting at its source the other branch of the Legislature—had done all that they could to lower its character and impair its authority—the Parliament, that is, the King, Lords and Commons, were entitled to pass a bill, not for disfranchising those electors so much as for preventing the abuse of the trust reposed in them; and they were entitled to pass that Bill without its being subjected to the incidents of a private bill, or fettered with the forms of a judicial proceeding. The Crown itself had often been limited and regulated, and even transferred from one person to another, and from one family to another, without any examination of witnesses. It would not, he presumed, be denied that that was a vested right, quite as much as any right of election; and it scarcely was expected that the Duke of Savoy would be called to the bar of that House, and heard by counsel, and his witnesses examined, for the purpose of ascertaining whether he was a Papist or a person of an arbitrary disposition. When that great and important trust was made the subject of legislation, who could raise a doubt that the Parliament possessed full right to legislate upon the petty and miserable trust which formed the object of the bill under consideration? At the period of the Scotch and Irish Unions, many individuals were deprived of their franchises, and yet no judicial proceedings were instituted—no witnesses were examined: had they begun to examine witnesses they never would have got through the Union question. Nay, further, in Ireland, Peers were deprived of sitting and voting in Parliament, and many boroughs received compensation for the loss they sustained, but no one dreamt of proposing to prove the preamble of the Bill, depriving them of these rights. When that most weighty act was under consideration, no witnesses were examined; but on this trifling matter, the most scrupulous formality was to be observed. The present differed altogether from the common-law rights possessed by freeholders—it was much more to be considered in the light of a trust conferred by a charter. There was also the measure of last year with respect to a large body of freeholders in Ireland, —of men whose right of voting was not, as in the case of corporations, held in trust, but existed by common law. Those men were disfranchised without any evidence being heard at the Bar: on the contrary, their petition to be heard was refused. He owned that his consent to that measure was wrung from him only by his sense of the great benefit of the measure which accompanied it. But that measure of disfranchisement was passed without examining any evidence. Besides, the practice against which he was contending opposed itself to all moderate and gradual reform—for a few of those who might oppose themselves to such reforms might, by interposing objections, and insisting upon strict formalities, create such delays as would defeat any plan of reform. He could not help repeating an often-repeated maxim of Lord Bacon's, that "Time was the greatest of all innovators." The duty of Parliament should be to afford every useful and safe benefit to the innovations of time, by adapting its proceedings to the growth and progress of society, and the altered situation of the country; and if anything could add to their Lordships' motives for such adaptation, it was the necessity which existed that that particular House should interpose and remove any impediments to that wise and salutary reform which time and circumstances demanded; which it was to advance, and which, if they impeded, their duty would lose much of its beneficial effects, but ultimately none of its force. The great Lord Somers had said, that there were some things so plain and evident that they did not admit of legal proof, yet they formed very frequently the best possible foundations for legislative proceedings. That was true of almost every case which did not involve a judicial inquiry. He concluded by moving that the third reading of the Bill be postponed to the 27th of April.

The *Lord Chancellor* wished to state shortly his objections to the Amendment of his noble Friend. He would not enter into the general topics connected with Reform, which had just been handled; but he must be allowed to say, that when the noble Lord referred to that well-known maxim of Lord Bacon, it was much to be regretted that he did not add the following words:—"It were good, therefore, that men in their innovations should follow the example of time itself, which indeed innovateth greatly, but quietly, and by degrees scarce to be perceived." The great point in the case was, whether bills of this kind should be considered as bills of Pains and Penalties. The case of Cricklade was so considered both by Lord Mansfield and Lord Thurlow, and was argued in that House upon principles altogether different from those which the noble Lord took up. The ground on which he would contend for the examination of witnesses was this—there was vested in the electors of East Retford a certain right which they had abused, and he had yet to learn how their delinquency could be shown otherwise than by an examination of witnesses. The House of Commons had appointed a Select Committee from out of their own body, but was that House satisfied with the Report of their own body? So far from being so, they examined witnesses themselves; and upon what grounds, then, could their Lordships avoid doing that which the Commons thought necessary? In the case of Penryn the House of Commons had a Select Committee, and examined witnesses themselves; yet their Lordships had examined witnesses at their own Bar, and arrived at a different conclusion from the House of Commons—the witnesses on the latter occasion having been examined on oath. The cases of Barnstaple, Grampound, Penryn, and Cricklade—every one of them supported the views which he took in opposition to the opinions of his noble friend, and established them beyond all controversy. The necessity for examining evidence being once admitted, their Lordships' ought, according to all principles of law, to pass such a bill as the present, to indemnify the witnesses against the consequences of their own evidence—otherwise that evidence might be incomplete; for a witness might refuse to answer, and then they would have to stop the proceedings to pass such a bill as this, which was found necessary in other cases, where a bill of the kind wa passed in one night. It was necessary to protect a witness who gave evidence at the bar, in that way which would effectually guard against all prosecution; for though the evidence taken at the bar could not be used against a witness even without a bill, it might lead to such inquiry as would produce other evidence to convict him. According to the principle he had laid down, then, such a bill as this was necessary for the purpose of getting the fullest evidence. On the occasion of Grampound, in the same manner a bill was introduced for indemnifying the witnesses, and it was found necessary that that bill should be carried through all its stages in one night. The same mode of proceeding was resorted to in the case of Penryn, as the noble Earl (Carnarvon) near him could testify. There was no deviation from this course on their Journals. For the last thirty years, at least, it had been usual to indemnify such witnesses. The case of Scotland and of Ireland, at the time of the Unions, afforded no precedent, for there no case of delinquency was sought to be set up. On these short grounds, therefore, without touching upon the doctrines of general reform, or upon any of the other topics to which the noble Baron had alluded, he should move that this Bill be read a third time.

Lord *Wharncliffe* said, that if an examination of witnesses were necessary, they must of course have a bill like that now proposed. Upon that point he apprehended there was no difference of opinion; but the question was, whether their Lordships ought to examine witnesses at all. To that he for one was extremely unwilling to become pledged. The preamble of the Bill stated that it was necessary to examine witnesses at the Bar of that House; and his objection was, that this expression seemed to impose the same course upon their Lordships upon all similar occasions. It would form a precedent which their Lordships would be obliged to follow in cases where there might be no necessity for examining witnesses. The question had already been before the regular constitutional tribunal—not one merely constituted by the House of Commons, though proceeding from that body—it was the regular tribunal (a Select Committee) for the trial of such questions; it had examined witnesses and made a report, and that was all the House of Lords had a right to expect, or had any occasion for. He differed altogether from the noble and learned Lord on the Woolsack with respect to the powers of the Select Committee of the House of Commons. The powers of such committees did not stop where the noble and learned Lord supposed they stopped, for the Committee might report upon general malpractices. The Committee on the East Retford election stated in their report, that they considered it their duty to call the attention of the House to the general practice of bribery and corruption which had prevailed in elections for that borough. The noble and learned Lord therefore was wrong in supposing that the powers of such a committee were limited to the particular election. He came back, then, to his objection—namely, that the preamble of the Bill for ever precluded that House from proceeding on similar cases without evidence. If this were taking away a franchise, evidence might be necessary; but it did not take away a franchise, it only extended it to two thousand instead of confining it to two hundred voters. The proposed measure was, that others should partake of the right of voting for members for East Retford, but it did not deprive any one of that right. What was the right of voting? Why, merely the right of being represented by persons for whom the voters personally gave their votes. The personal representatives then would be still the same, though the proposed alterations should be carried into effect. He was no reformer. He thought that any great addition to the democratical power of the House of Commons would prevent the Government from going on so long as the Government remained a Monarchy. It was with pain, therefore, that he saw bills of this nature; but if they were to have such bills, let them deal properly with them. There was a reform pretty generally talked of, and one which but for his objection to any addition to the democratical power of the House of Commons, he should be inclined to consent to—he meant reform in the representation of the counties of Scotland. Now, ought the persons who proposed such a reform to be met by saying, "You must produce evidence in support of your proposal"? This would be preposterous, and so it would have been if the measure for disfranchising the Irish 40*s.* freeholders had been met in the same way. He thought that in the present case there was a *prima facie* case for their Lordships to proceed upon, and he could not, therefore, give his consent to the preamble of this bill, which said that it was necessary for their Lordships to call evidence, though he might agree to it if the words were altered to "it may be necessary."

Lord *Wynford* thought their Lordships would act inconsistently with justice if they neglected to call evidence in a case like the present. It had been said by one noble Lord, "Wait, and see if any of the witnesses refuse to answer the questions put to them, before you pass a bill like this." He differed, however, from that noble Lord, and in this respect there was a shade of difference, too, between him and his noble and learned friend on the Woolsack. He would say that their Lordships ought not to wait to see if the witnesses would take this objection, for it was the duty of their Lordships to protect witnesses unasked, and to take care that neither the counsel nor any of their own body should press a man to give answers which would criminate himself. Again, it had been asked, "how do we know that any witnesses will be in this situation?" There would be very little difficulty in answering that question, for the evidence taken before the other House was upon their Lordships' Table; and their Lordships had only to look at that evidence in order to be assured that many witnesses would be in that situation. The question then was this—would their Lordships refuse to extend to these witnesses that protection which every court of justice in the country gave to every witness that came before them? The noble Baron (Lord Holland) opposite, in his very ingenious speech, had described the elective franchise as a trust. The more general, and, allow him to say, the more correct, description was "a trust with an interest." That it could not be sold was certain; but where property gave the right of voting, that property was saleable, and a man was in all cases allowed to hold out this right as a circumstance which enhanced the value of the property. If the right were not derived from property, still the description of "a trust with an interest" was correct; for would any one say that people had not an interest in sending to Parliament men who represented their opinions? This was not only an interest, but a most valuable interest—an interest, the possession of which the people of this country had often been envied. If the interest were not saleable, the property on which it depended was saleable, and in this respect it most resembled ecclesiastical patronage: though the patronage could not be sold, the property with which it was connected was saleable. Then came the question, whether it was fit to deprive a man of this interest, or to injure it, without evidence. Surely not. But it had been said by a noble Baron (Wharncliffe) opposite, that they did not deprive the voters of their franchise—that they merely admitted others to share it. Now he thought that noble Baron would consider that he was really deprived of a portion of his property, if a number of persons were admitted as joint-tenants with him in it [*a laugh*]. Was not this case the same? It seemed to him, that in proportion as the numbers were extended who were to partake of the interest, that interest was injured to the smaller number who had previously exclusively enjoyed it: to increase the voters from two hundred to two thousand was so far an injury to the two hundred. A great deal had been said whether the measure upon the Table was a bill of Pains and Penalties, or whether it was only a bill taking away a right for a public advantage. He agreed that it was not necessary to settle that point for the purpose of discussion, because either way a case ought to be made out. He agreed with Lord Mansfield and Lord Thurlow, that whatever diminished a right was so far a bill of Pains and Penalties; and he had looked through the Journals upon this subject, and in Hatsel's Precedents he found a case under the head of "Pains and Penalties," of a separation (not a divorce) between man and wife. At all events, the cases established this principle—that whatever was done by the Legislature which placed an individual in a worse situation than before the passing of the bill was, according to the plain dictates of common sense, a bill of Pains and Penalties. It had been said, that Parliament could do any thing but make a woman a man, but there was another thing Parliament could not do—it could not be essentially unjust; and it had never deprived a man of a foot of land for a public purpose without compensation. The noble Baron had admitted that the report from the Commons did not state to what extent bribery and corruption had taken place at East Retford, and the House, before it proceeded to disfranchise, would require that the degree and nature of the crime ought to be fully established. The noble Baron had argued, that as the bill deprived parties only of a public interest, it was not necessary to adduce evidence; and in support of this point, he had referred to the act transferring the Crown of this country from the Stuarts to the family now upon the Throne, and to the recent statute disfranchising the forty-shilling freeholders of Ireland. These, however, were cases where Parliament had proceeded upon general notoriety, and witnesses were never examined upon matters known to the whole world. Was such the fact in the instance now before the House? Were the grounds of disfranchisement known to the House? He, for one, begged to state that he knew nothing of the circumstances, and that he required to be informed by evidence before he ventured to decide. The House was bound to inquire fully into the transactions at East Retford; and to shew how far the necessity of producing witnesses had in former times been carried, he need only mention the act of 15th Geo. 3rd, which prohibited the issue of small notes of 1*s.* and 1*s.* 6*d.* and other small sums, which at that period were circulated in Yorkshire. In that instance Sir George Saville had been required to produce evidence at the bar, of the existence of the practice, before the House of Commons would consent to adopt the proposed remedy. *A fortiori*, therefore, as the evil complained of was confined not to one county, but to one borough, it was incumbent upon Parliament to take care that distinct and positive evidence of criminality was adduced at the bar. The noble Baron (Holland) had objected to the disfranchisement of East Retford, because he thought it would retard Parliamentary Reform. He had his own opinions upon Parliamentary Reform, but he could not see in what way it would postpone that measure, supposing it desirable. On the contrary, it seemed to him that it was calculated to purify and keep pure the

Assembly of the Representatives of the people; certain it was, that it never would be accomplished by an adherence to what was called the corrupt borough system. By measures such as that to which the Bill on the Table related, corrupt boroughs would be made to reform themselves; and if the principle were acted upon, it would prevent Parliament from getting worse, and keep it, as at present, as uncontaminated as any reasonable man could desire, and equal to all purposes for which it was instituted. Disfranchisement bills, when the necessity for them was proved, tended to counteract the injuries and inroads of time, and to renew the vigour of the Constitution.

Lord *Holland* explained: He thanked the noble Baron (Wynford) for the lecture he had been pleased to read him on the subject of Parliamentary Reform, and for the statement of the perfect acquaintance he had with his (Lord Holland's) views and wishes. He was not aware, however, that he had ever promulgated those views and wishes to the noble Baron, either publicly or privately; but sure he was, that rendering this House the bar to all improvement of this kind, was the true mode of producing that convulsive and violent reform which every man must dread. He expressed his obligation also to the noble and learned Lord on the Woolsack, for finishing his (Lord Holland's) quotation from Bacon, by a passage much more to his purpose than that which he had himself cited.

The *Earl of Carnarvon* considered this as a great public question, and trusted that their Lordships would not, without evidence, take a step which made an alteration in the Constitution. He agreed that general measures, such as those which had been instanced by his noble friends, might be passed without evidence, because they were to be determined by the dictates of public policy. So, there would be no necessity for evidence in support of an alteration in the representation of the Scotch counties; but, if it were proposed that the representation of one county—say the county of Lanark—should be altered, there would be a necessity for evidence, because that would be a particular, not a general measure. If, in such a case, their Lordships refused to hear evidence, he thought their Lordships would commit an outrage on the Constitution, and be guilty of a dereliction of their duty. The question before them was, whether they would abandon a course which they had followed for sixty or seventy years, and adopt the unsatisfactory course now recommended. The bill stated, that there had been corruption in the borough of East Retford, and asked their Lordships to make alterations in the mode of representations without inquiring into the truth of the allegation respecting the existence of corruption? Even if there were no parties resisting the Bill, the Constitution ought to be considered a party requiring the proof. Although no Radical Reformer, he advocated these partial renovations, and perhaps had gone further than many in support of them. He did not think that the noble Barons who opposed the Bill, relied much upon their argument against the admission of evidence, because they had themselves allowed that some testimony was required when they urged that the witnesses called by the House of Commons ought to be considered sufficient. It was well known that the House of Commons by its committees sometimes entered only into that part of a case which related to the interests of the Petitioners, whereas here the inquiry ought to be more perfect and general. If the Bill under consideration could for a moment be construed to involve a pledge that the House would proceed without further inquiry, he begged to be considered no party to the admission of the evidence taken by the Commons, if it were the best evidence that their Lordships could obtain; and it could not be disputed that it was not. To pass the Bill without inquiring into the facts he thought would be throwing impediments in the way of rational reform, which he had endeavoured, by advocating measures of the kind, on more occasions than one, to promote. He should vote for any bill which gave the greatest latitude to the proof of corruption. It was necessary that witnesses should be compelled to answer; for that their Lordships could and would protect them. That was a proper course, and he thought that no delay on account of the want of evidence ought to be suffered to arise. As to the mode of dealing with witnesses, it was said that they might wait till that question arose. He did not agree with that proposition; for the expenses of bills like these were most enormous, and no delay that was not absolutely necessary ought to be allowed to occur. On these grounds he should vote for the Bill.

The Marquis of *Salisbury* said, his noble friend opposite had recommended that to which he was most strongly opposed. That recommendation was, that they should adopt the proceedings on evidence with which the Members of the House of Commons themselves had not been satisfied—that was, the Report of the Select Committee. If they were not satisfied with that Report, surely their Lordships ought not to be less exact.

The Bill read a third time without a division.

Lord Holland afterwards entered the following Protest against the Witness Indemnity Bill, in the matter of East-Retford.

1. "Because the provisions of the Bill pre-suppose an insufficiency of evidence, and the consequent necessity of resorting to extraordinary means to procure it, in the matter of a Bill lately brought up from the Commons, and entitled, "An Act to prevent Bribery and Corruption in the Election of Burgesses to serve in Parliament for the Borough of East Retford," whereas the decision of the other House of Parliament, founded first upon the report of a tribunal, appointed by Act of Parliament to try elections, and armed with all necessary powers for that purpose; and, secondly, upon the result of their own inquiries, raises a reasonable presumption, at least, that grounds sufficient to enable us to come to a sound determination on the legislative measure before the House may be obtained without a special suspension of the ordinary rules of evidence, and an anomalous purchase of truth by an extension of impunity to offenders.

2. "Because the recourse to such a preliminary act of power for the purpose of procuring evidence, implies (and the preamble directly asserts), before any petition has been presented to this House against the East Retford Bill, that an examination of witnesses at the Bar is absolutely necessary; and thereby sanctions a notion, in my opinion, erroneous, mischievous, and unconstitutional—namely, that the Bill that has lately passed the House of Commons, and all other measures of a like nature, are bills of Pains and Penalties, partaking of a judicial character, and requiring all that special and cautious regard to legal forms which distinguishes this House in the discharge of its judicial functions, and which it widely and mercifully extends to such legislative acts as pronounce sentence or inflict punishment, as well as to such as decide between parties applying for the interference of the legislature upon their respective properties and rights. But a Bill of Regulation, for the purpose of preventing bribery and corruption, and preserving the purity of representation in the Commons House of Parliament is not, *ex vi termini*, either a private bill or a bill of Pains and Penalties, and may consequently be adopted by Parliament, consistently with reason and usage, on a moral conviction of its justice, necessity, or expediency, without subjecting the facts or considerations which lead to its adoption to legal proof at the Bar of the House. The privilege vested by charter in any corporation to send members to Parliament, appears to me a trust and not a property. The individual elected in virtue of such privileges, though the immediate delegate of his constituents, is, according to the maxims of our Constitution, a member of the Supreme Legislature of the empire, and invested with a share of the representation of the people at large, for whose benefit he is bound to exercise his functions. It follows that the right of choosing such a representative, when conferred by any instrument or usage on any separate body of men, is a trust confided to that body of men for the benefit and advantage of the whole community. If, therefore, that trust be so administered as notoriously to defeat the objects for which it was created, and by polluting the sources from whence one branch of the legislature is supplied, to lower the character and impair the authority of the House of Commons, the Parliament is justified, by reason and analogy, in proceeding, on such moral conviction as guides it in every other measure of regulation or reform, to revoke, limit, enlarge, or transfer that trust in the way and to the extent which it deems most conducive to the advantage of the community. The most sacred and important trust which by law can be reposed in human authority—namely, the Crown itself, has been repeatedly in our history limited, regulated, and transferred by the King, Lords, and Commons in Parliament assembled, without any minute and juridical investigation of facts, and without that attention to technical rules and cautious forms which properly distinguish our judicial proceedings, but are utterly inapplicable, and would be inconvenient in those which have for their

object the moulding a government to the exigencies and interests of the governed. On the same principles, the persons and places entitled to vote by themselves or their representatives in the Scottish Parliament, before the Union with that kingdom, had those privileges regulated, curtailed, modified, or suppressed, by a legislative act, without any legal proof of delinquency, or any judicial investigation of the nature and extent of such privileges, or of the manner in which they had been exercised. The legislative Union with Irish Peers of their votes in the House of Lords, and no inconsiderable number of boroughs of Ireland also deprived the majority of the their right to send burgesses to Parliament; and although certain compensations were granted to the latter, neither the preamble of the legislative Act, so depriving them of privileges, or compensating them for the loss, nor the grounds which induced the Parliament to pass it, were subjected to legal proof. More recently a large body of freeholders, entitled by common and by statute law to vote for Knights of the Shire in that kingdom, have been deprived by an Act of Parliament of that privilege; and the said act of Parliament, so far from being subjected to such judicial proceedings as usually attend private bills, or bills of Pains and Penalties in this House, passed the legislature without admitting the petitioners against it to be heard by themselves or their counsel, or to adduce evidence againt the allegations of the preamble in either House of Parliament. Concurring, therefore, with the greatest constitutional authority that ever sat in this House (Lord Somers) that “there are many things plain and evident beyond the testimony of any witnesses, which yet can never be proved in a legal way,” I was unwilling, by inference, to sanction a principle which would fetter the functions of this House in the exercise of our legislative discretion and authority, and confine our power of regulating and reforming abuses in the representation to such cases only as are susceptible of strict legal proof.

3. “Because, if the House of Lords were to establish the practice of proceeding as usual in private bills, or in bills of Pains and Penalties, as indispensable in bills of regulation and reform in matters of election, great delays would ensue and various impediments be thrown in the way of such wholesome reforms as the lapse of time and the exigencies of the country are likely to require, and such impediments, originating in scruples of this House, warranted by neither reason, analogy, nor example, would be highly injurious to the character of this House, as well as to the progress of sound improvement and wholesome legislation in the country.

(Signed) VASSALL HOLLAND.”

HOUSE OF COMMONS.

Friday, April 2.

MINUTES.] The Four-per-cent Annuity Bill was read a Second time, on the Motion of Mr. G. DAWSON. A Bill to Amend the Constabulary Act, (Ireland), was brought in by Lord F. L. GOWER, and read a first time. The Minutes of the evidence taken before the Committee on East India Affairs, up to April 1st were laid on the Table by Mr. COURTENAY.

Returns laid on the Table. The Monies Demanded and Allowed to the High Sheriff of every County in England, ending Michaelmas, 1828:—Of Hops Imported and Exported during the last year:—Of Excise and Customs' Duties collected in each district of Ireland, during the last ten years:—Of Timber Imported during the last four years:—Of the number of Quarters of Malt charged with duty, and amount of Duty on Beer, during the last ten years:—Of the quantity of Spirits charged with Duties, and imported into England from Scotland and Ireland, in the last ten years:—Of Amount of the Duties collected on Leather in Ireland:—Of the Amount of Excise Duties on Paper in Ireland, with the Expense of Collecting them:—Of the Amount of Duties received by each Collector of Excise, throughout the United Kingdom, and of Payments made by each, and of money remitted by each to London:—Of Duties Collected on Coals imported into Dublin from January 1822 to January 1830:—Of Sums paid into the Stamp Office for Duty on Fire Insurances, and on Marine Policies:—Of the Tonnage of Vessels entered into and cleared out of all the Ports of Ireland in the last seven years:—Of the quantity of Spirits imported from Scotland by land:—Of Papers relating to the office of Coal Meter (Dublin):—Account of the Trade of Southwold for the last twenty years:—Of the number of Midshipmen promoted to be Lieutenants, of Lieutenants to be Commanders, and of Commanders to be Post Captains, between January 1827, and January 1830:—Of Gentlemen appointed to first Commissions, and of promotions in the Marines for the same period:—Of Officers holding Brevet Rank in the Marines, and of those who have sold their full or retired pay:—And Account of the Pilot Fund of the Corporation of the Trinity House.

Returns Ordered. On the Motion of Mr SPRING RICE, An Account of the Number, Distribution, and Expense of the Constabulary Force in Ireland, during the last three years:—On the Motion of Mr. HUME, of the Duties performed by the Barons of Exchequer, (Scotland) in relation to the Public Property and Hereditary Revenue of the Crown; and a Copy of the Memorial presented by JOHN DENNSON, Master of the Patriot, of Aberdeen, to the Lords of the Treasury, praying for a return of 63*l.* charged as Duty on Brandy, used on board his Vessel by the Sick, on her voyage from Jamaica.

Petitions Presented. For an Amelioration of the Criminal Code, by Sir RICHARD VYVYAN, from the Merchants, Bankers, and other Inhabitants of Truro:—By General GASCOIGNE from the inhabitants of Hoddesdon. Against Suttees, by Mr. LITTLETON, from several Congregations of Dissenters in different places in Staffordshire. Against the renewal of the East India Company's Charter. By the same Hon. Member, from Drighlington, for the Emancipation of the Jews:—By Mr. BONHAM CARTER, from the Jews of Portsmouth:—By the Marquis of BLANDFORD, from the Jews of Rochester and Chatham. For the repeal of the House and Window Tax, by Mr. W. DUNCOMBE, from Whitby. Against the use of Power Looms, by the same Hon Member, from the Artizans of Morley.

THE NEW HAY-MARKET.] Lord Lowther brought up the Report of the Committee on this Bill; and moved that it be re-committed.

Mr. *Byng* said, that he intended to oppose the measure, because it would be injurious to many of his constituents occupying houses in the Haymarket. It would remove the market so far from its present site as to be a great inconvenience. With respect to those who complained of it as a nuisance, it should be remembered that they came to the nuisance, and not the nuisance to them. He had no objection to the noble Lord establishing another market in the spot he had selected, but he begged of him to allow the old one to remain.

Lord *Lowther* said, that there could be no question that the Market, as now situated, was a nuisance; and in moving it they were only following the example of other towns. Not above half-a-dozen persons would be affected by it. It was true that the inhabitants had come to the nuisance, but at the same time, within the last few years, the nuisance had greatly increased. The distance to which he proposed to remove the market was not great, as it was only on the other side of the New Road, and consequently equally convenient for the West end of the town.

The Bill re-committed, and ordered to be taken into consideration before a Committee of the whole House on Monday, April 5th.

ST. GILES AND ST. GEORGE BLOOMSBURY.] Mr. *Hobhouse* said, that in consequence of what had passed in the House on the previous evening, a meeting of the Parishioners had been held this morning, and a Petition against the Saint Giles's and Saint George's Vestry Bill was immediately agreed to. It was signed by upwards of one thousand inhabitants, with their names and addresses, so as to bear the closest scrutiny. The Petition entreated the House, that if they persisted in disfranchising 1,856 of the inhabitants, they would, at least, not allow a gradation of voting, the consequence of which would be—giving to 400 of the higher rate-payers the same powers as those possessed by 1,600 of the lower rate-payers. The petitioners also stated, that if Parliament would consent to lower the rate one-half, so as to give a vote to those who were rated at 15*l.* a year, though they would be more willing (though they should still think the principle of the Bill incorrect) to acquiesce in the decision of Parliament, and to entertain the hope that the measure, as it would then stand, would give comparative satisfaction to their fellow-parishioners. He also begged to observe, that at a late hour last night, or rather at half-past two in the morning, he brought up the Report of the Committee on the General Select Vestry System; and in that Report it was agreed that the elective principle ought to be acted upon in any bill that was recommended to the notice of Parliament—of course with certain modifications. He therefore thought that it would be due to those petitioners, either to wait for a general measure, or else to grant one or other of their prayers. In addition to this Petition, he had another signed by an individual, (Mr. Wakley) who, as he was Churchwarden, added to the prayer of his fellow-parishioners one against that provision of the Bill by which the inhabitants were deprived of choosing their own Churchwardens—a privilege which they had hitherto enjoyed from time immemorial. He had likewise been informed, that the statement made by the hon. Member for London (Mr. Ward), on the previous evening, was incorrect, when he asserted that many of the parishioners had relaxed in their opposition to the Bill. The fact was, that but four or five expressed more than a very qualified assent to the provisions of the present measure.

Mr. *Ward* observed, that his only wish was the restoration of the harmony and good feeling of the parish. When he had stated that nine of the parishioners had relaxed in their opposition, he had founded what he said on what he had observed in the Committee up stairs; and he certainly had, on the occasion to which he alluded, understood that several gentlemen, when the rate entitling parishioners to a right of vote was reduced to 30*l.* had withdrawn that opposition which they had formerly entertained towards the measure.

Mr. Alderman *Waithman* had kept himself free from all parties in this question, though he lived in the parish, in order that he might be able, in the House and in the Committee, to give an unbiassed vote. His feeling, however, was, that these parishioners had a right to what they asked; because he should ever contend, that every man had a right to vote what should be done with his own money. This was the very spirit of the Constitution, and they were bound to support it as long as they pretended to care for freedom or justice. It had been said that, as the trustees or responsible managers of those rates were highly respectable, and oftentimes noble persons, there need be no fear of abuse in the application of those rates. To this he should say in reply, so much the worse; for he found that those highly respectable, as in the instance of the late Joint Stock Companies, were only used as a shield to protect the less respectable and less principled. He considered the clause, allowing no person to have a vote who was rated lower than *30l.*, most invidious and unjust, and he should oppose the Bill at every stage.

The Petitions were read; they prayed that they might be heard against the Bill, by themselves, their counsel, and agents.—Ordered to lie on the Table.

Lord John Russell moved the third reading of the Bill.

Mr. *Hume* would at that eleventh hour endeavour to have a Bill, so objectionable in its nature, if not re-committed, rejected by the House. The Petition which had been the result of the meeting held that morning, and which had been signed, as his hon. friend had stated, by upwards of 1,000 respectable *bonâ fide* inhabitant householders, in itself should induce the House to pause ere it gave its assent to a measure by which 1,850 rate payers, out of a total of 4,819, would be deprived of their constitutional right. All that the petitioners prayed for was, the recognition of the principle established by Mr. Sturges Bourne's Act. By that Act, every person rated under *50l.* and who had paid the last assessment, was entitled to one vote in parish affairs, the number of votes rising gradually in favour of those who were rated above *50l.* till they reached five or six. But the object of the present Bill was to deprive the parishioners of that right. He trusted, however, that the House would be of opinion, when it was informed that the poor-rates of these united parishes amounted to 40,000*l.* a-year, that men rated at 20*l.* a-year had as good a right to be able to look after their interests as those who were rated at 400*l.*; for it was of great importance that those who were only a little above coming upon the poor-rates themselves should have a right of control on the subject. For himself, he should not have believed it possible that the noble Lord, who had always so strenuously advocated the cause of reform, would have agreed to such propositions as those advocated by the Bill which he had introduced. It was true that the noble Lord's family had a great stake in the parish, but he thought that that was no argument on which to ground such a measure. He, however, trusted that the noble Lord would consent to fix the rate at 15*l.* or 20*l.*, as even such a concession as that would afford considerable satisfaction to the parish. At all events, in order that there might be time for re-considering the question, he should move the re-commitment of the Bill.

The *Speaker* said, that course could not now be adopted. There were three modes of proceeding open to the House. Either the third reading might be negatived; or the third reading might be postponed to that day six months; or an Amendment of any clauses might be proposed, but that must be after the Bill had been read a third time.

Mr. *Hume,* with a view of giving the parties concerned in the Bill time to come to an agreement, moved as an Amendment, that the third reading be postponed to the 27th of April.

Lord *J. Russell* observed, that his only reason for having anything to do with this Bill was in the hopes of restoring the peace and quiet of the parish. That was the only interest either he or his family could have in the matter. In the commencement he had been anxious to have nothing at all to do with the Bill; but it was stated to him that his undertaking it would open the chance of a reconciliation between the parties, and he therefore thought that it would have been wrong in him to refuse. He had, therefore, undertaken it; but on this understanding, that he would not be bound by the principles of the Bill. All the differences between the parties were settled before the Bill came under the consideration of the committee, and those three points were laid before the committee for their decision. He himself abstained from giving any opinion on the subject, and only laid the facts before them. The committee decided in favour of the principle as it stood in the Bill, and against that contained in Mr. Sturges Bourne's Act. That that so happened was the fault of those hon. Gentlemen who did not attend in the committee, and now came down to the House to complain of the step that had been taken. By the decision of that committee (all the petitions having been investigated by it) he felt bound, though, perhaps, it was not exactly what he himself should have approved. At the same time he thought that it was generally calculated to produce the good government of the parish, and final harmony and satisfaction between all parties. On these grounds he should persist in moving the third reading of the Bill; at the same time leaving it to the House to do exactly as they pleased with it.

Sir *F. Burdett* thought it was desirable that the House should assent to the Amendment of his hon. friend, and give all the parties an opportunity of coming to an understanding with each other. He disapproved of the Bill, and thought it would have been better to abide by the principles of Mr. Sturges Bourne's Act.

Sir *Thomas Fremantle* opposed any further delay. Sufficient concessions had already been made in the committee, and further delay would only increase the disagreement of the parties. There was no chance of their agreeing together, and therefore he hoped the House would at once decide the question. The Bill as it then stood was a very fair measure.

Mr. *Baring* declared that it was his intention to vote for the postponement. It was very desirable that some uniformity should be introduced into the proceedings of that House in relation to the parishes of London. Last year they had passed a bill for St. Paul's, Covent-garden, with one qualification, and now they were going to pass one for St. Giles's with another qualification. The House was bound to look that its enactments conformed to each other, and he should vote for delay, with a view to making this Bill like other bills.

Colonel *Davies* remarked, that in St. Paul's, Covent-garden, already one principle prevailed; in St. Andrew's, Holborn, another; and in St. Anne's a third; so that it was impossible for the House to introduce a uniformity of enactment into the several parishes; if any hon. Member would move to substitute *20l.* for *30l.* as the qualification, he should have his support.

Mr. *Byng* hoped the Bill would be postponed till after the Easter holidays. The concession spoken of by the hon. Baronet opposite was only on one point. There were four points in dispute, and one only had been conceded to those who opposed the Bill; and that was the least important, viz.—that the election of the vestry should be annual, instead of biennial. If the Bill were not postponed till after the Easter holidays, he should feel it to be his duty to vote against the Bill altogether.

Lord *Nugent* supported the Amendment.

Mr. *Tennyson* said, he did not know what was meant by concession; but the Bill, as it then stood, contained one of the most monstrous propositions he ever remembered. Almost 2,000 persons were disfranchised by it, and 400 individuals were to have as many votes as 3,000. He hoped the Bill would be postponed.

Mr. *Bramston* denied, as it was only a question of degree, that the principle of disfranchisement was at issue; at the same time, as he wished to see the House unanimous, and all parties satisfied, he should like to see *20l.* substituted for *30l.*

The House now grew impatient, and called loudly for the Question. The gallery was accordingly cleared, and on the division the numbers were—For the Amendment 36; Against it 70; Majority 34.

Mr. *Hume* next proposed, as an Amendment, that every person rated at the sum of *25l.* should be entitled to a vote, precisely in the same manner as in the parishes of Marylebone and St. Paul's, Covent-garden.

The *Speaker* stated, that from the manner in which the Amendment was worded, the effect would be, that no person could possess more than one vote.

Lord *John Russel* said, that the friends of the Bill had reduced the qualification for a vote from *30l.* to *25l.*, on the understanding, as they thought, that the Bill would not then be opposed in the other parts; and as the hon. Member pressed this Amendment, he must vote against it.

Mr. *Hume* declared he had not heard of any such agreement as that alluded to by the noble Lord.

The House divided on the Amendment—Against it 48; For it 26; Majority 22.—The House also divided on another Amendment, the object of which was to limit the number of votes possessed by any individual to three, which was lost by the same majority.

Bill read a third time and passed.

LORD ELLENBOROUGH'S DIVORCE BILL.] On the Motion of Sir G. Clerk, the report on Lord Ellenborough's Divorce Bill was brought up. The hon. Member moved that it be read a third time next Monday.

Mr. *Tennyson* wished the third reading to be deferred to a later day. He was not prepared, without first reading the evidence through, to give his vote on the Bill.

Mr. *A. Ellis* protested against the haste with which hon. Members were hurrying the Bill through the House. He was not prepared to say that he should vote against the Bill, on the contrary, he thought he should vote in favour of it; but he could not refrain from opposing the proposition that the Bill be read a third time on so early a day as next Monday. He did conceive that the third reading should be postponed until after the holidays.

Sir *G. Clerk* said, there was no disposition on the part of the supporters of the Bill to hurry it through the House. But a most ample inquiry had been entered into, and he thought a very general feeling existed in the House that, after the evidence was ordered to be printed, as little delay should take place as possible. The House would adjourn on Wednesday or Thursday next for the holidays, and it was desirable, he conceived, to have the fate of the Bill decided before that period. The evidence would be printed and in the hands of Members by Monday next; but if any hon. Member should then state that he had not had sufficient time to consider it, he should be ready to postpone the third reading of the Bill till the next day.

Mr. *S. Rice* thought it would be extreme injustice to the parties concerned, to postpone the third reading until after the holidays; but he suggested that it should take place on a later day than Monday next—namely, on the following Wednesday or Thursday.

On the motion of Sir G. Clerk, the third reading was then fixed for next Tuesday.

SHIPPING INTEREST.] Mr. *Sykes* rose, pursuant to the notice which he had given, to present to the House a Petition from the Ship-owners of the town of Hull. He was confident that the petition would meet with every consideration and attention from the House. If the subject to which the Petition related would of itself be sufficient to fix the attention of all the Members present, the claims of the Petition on their consideration would be enhanced by their knowing that it came from a body of well-informed and well educated gentlemen, who were perfectly cognizant of their own interests and rights, and in his opinion as well qualified as any hon. Gentleman in that House to form a correct judgment upon the subject to which the Petition referred. These gentlemen were associated together in a society called the Ship-owners' Society. From time to time they had laid their petitions most respectfully before the House, and they now again approached it with a respectful statement of their condition, hoping that the House might be able to devise some remedy for their relief. They stated in the Petition which he (Mr. Sykes) held in his hand,—and he was sorry to say that he could confirm the statement to its fullest extent,—that the interests which they represented were involved in the deepest and most deplorable distress. They embodied in their Petition a resolution passed at a meeting of the Ship-owners of Hull, held last January, in which the latter expressed their regret at the present condition, and their melancholy forebodings of the future prospects, of the Shipping-interests of the United Kingdom; and, in conclusion, they earnestly prayed Parliament to institute such an inquiry into the causes of the existing distress of the Shipping-interests as might lead to some remedial measures for the relief of that important national interest. They further prayed the House that they might be relieved from foreign competition, as experience had, in their opinion, fully proved that they were not able to compete with foreigners while burthened with their present load of taxation; and they therefore suggested, that the principle of an equalization of taxation with foreigners should be first applied before they were placed upon an equality with them in other respects. They further suggested, that the House, with a view to afford relief to the existing distress of the country, should introduce a more rigid system of economy into every department of the State,—that the national expenditure should be reduced to the lowest possible scale consistent with the due maintenance of the national honour, and that a more equal distribution should be made of the public burthens. The petitioners likewise objected to the reciprocity system. With their opinions upon that subject he did not concur, and it was a proof of their candour that, though aware of his difference with them upon that point, they did him the honour of intrusting their Petition to him. He should not trouble the House by entering upon the consideration of that system at present; he should only say, that he did not think that any alteration in that system would afford any relief to the distress that prevailed in the Shipping-interests of the United Kingdom. The petitioners also took the liberty of respectfully calling the attention of the House to a reduction of those taxes which more particularly pressed upon navigation. He thought that upon that score, they had a fair claim for a reduction of taxes, and in that portion of their prayer he fully and entirely concurred. In another part of their Petition the petitioners seemed to glance at the exchange of existing taxes for a property-tax. If ever an opportunity should be afforded to him for expressing his opinion upon that subject, he should do so; but he might be permitted to say that this, at all events, was not the proper time for discussing the expediency of such a measure. He had stated the several requests of these petitioners, and the grounds upon which they rested their claim to the attention and consideration of the House; he had stated those points with regard to which he agreed with the petitioners, and those points with regard to which he differed from them; and in dissenting from them, he would add that the petitioners were gentlemen as fully competent to form a correct opinion upon the subjects to which they alluded as any Gentleman in that House. He should now proceed to state what he conceived would be the best means of affording relief to this important national interest. There were only two things—only two quarters—to which he could look for relief for the shipping of this country. The first of these measures was to extend the foreign trade of this country in every possible direction in which it could be extended, and the other was, to remove from the Ship-owners every burthen that at present prevented the extension of our foreign trade. He conceived that the petitioners were fairly entitled to that species of relief at the hands of Parliament. With respect to the first point,—he alluded to the extension of our foreign trade, he would say that he looked forward with considerable hope to the alteration which he trusted would be made on the renewal of the East-India Company's charter. He should be grievously disappointed, and so would the parties he represented on that occasion, if, upon the renewal of that charter, the British seaman should be prevented from going to any part of India or China to which the sailors or shipping of any other nation was permitted to go. It would be most detrimental to the commercial interests of this country, and a most galling injustice towards British seamen, if all other nations should be allowed to trade freely to the continent of China, while British seamen should be alone excluded from a participation in that trade. He therefore looked forward with considerable anxiety to the period when that charter should come to be renewed, and he trusted that the result would be, that we should be hereafter permitted to navigate those seas, and to carry our cargoes to India and China free from all restrictions, and to trade with every part of those countries, like all the other nations of the earth. He also hoped that our foreign trade would be extended in other directions, and especially by the cultivation of a closer commercial intercourse with the States of South America. He should now advert to the other quarters to which he looked for relief of the Shipping interest in the shape of extension of trade. He hoped that every restriction that pressed upon British commerce would be removed. He thought that many burthens which now weighed upon the navigation and commerce of the country might be very judiciously taken off, and he should allude, in the first place, to a burthen, of which he thought the Ship-owners very justly complained,—he meant the cost and expense of the coast-lights. That was a heavy burthen upon the Ship-owners. These coast-lights were farmed out, it was well known, by the nobility and gentry of the country, who derived a large revenue from keeping them up, and the expense of their maintenance was levied upon the Ship-owners. That burthen ought to be removed. There was also another oppressive burthen upon Ship-owners in the shape of rates for pilotage, which should likewise be taken off. There was also another burthen, called the "Greenwich-chest," which was a tax of *6d.* per month upon every seaman's wages. That was a large sum of money to be levied off the seamen. It was levied for the benefit of Greenwich Hospital, and he (Mr. Sykes) should like to know why the seaman who received no benefit whatever from it should be compelled to contribute to a fund that was not devoted in any way to the support of the mercantile marine of the country. A far more important consideration, however, was the heavy taxes laid by the Government on articles used by the Ship-owner; and a reduction of those which pressed most heavily on him ought undoubtedly to be made. Why, for instance, should the present enormous duty upon hemp be kept up, while reductions had been made in the duties on tallow and other kinds of Russian produce? By reducing the duty upon hemp, the Ship-owners would be able to get their cordage and other articles at a considerably reduced price. There was another matter which had been already ably pressed upon the consideration of the House by an hon. friend of his,—he meant the reduction of the stamp duties upon marine insurances.

While these duties produced but a small revenue for the Government, they pressed heavily on the Ship-owners, and the reduction of them would afford considerable relief. There was another matter which he conceived well worthy of the attention of the Government and of the House—he meant an equalization of the duty on timber and deals. He thought the duty upon those two articles should be put upon an equal footing. Why should timber, when imported into this country in a solid body, pay a higher rate of duty than when it was imported cut into deals? He should certainly bring that subject under the consideration of the House upon another occasion, and he should then like to hear, from any member of his Majesty's Government, a reason for the maintenance of this absurdly unequal duty. The fact was, that by imposing a higher rate of duty upon timber imported in a solid shape, than when imported in deals, we gave a premium to foreign labour, and discouraged the labour of our own country. There was another measure with regard to the propriety of which he entertained great doubts, but which the petitioners were anxious to press upon the House, as a means of affording them relief: he alluded to some alteration in the present bonding system. The petitioners urged that this system, which enabled foreign ship-owners to land their goods here without paying duty, was productive of great hardship to the Ship-owners of this country, and that it placed them upon an unequal footing with their foreign competitors. He hoped that when the opportunity should arrive, (which he trusted would shortly be the case,) that a full and free trade would be allowed in every respect; and he confidently hoped that before the end of this Session, or at furthest before the end of next session, some of those burthens would be removed or lightened—a measure which would in some degree contribute to restore the prosperity of British Ship-owners. That general distress prevailed amongst them he had always said. That was a proposition which he believed no one who had paid any attention to the subject would deny: and he was greatly afraid that the distress, instead of diminishing, would go on increasing, unless some measures were adopted to counteract its progress. He believed in his conscience that it was greater this year than last year, and unless some remedy should be devised, he was of opinion that it would be still greater next year. The petitioners did not suggest a remedy for the distress under which they suffered; they left that to the wisdom of the House: and he thought that they had strong claims upon its consideration. To show the extent of the present distress, he should take the liberty to read a statement which had been forwarded to him by a well-informed and intelligent correspondent in the town of Hull, with regard to the trade of that port. He stated that, within the last few years, a diminution of ten per cent had taken place in the freights in that port. The following was the statement upon which that gentleman grounded his opinion, and if the facts which it contained were erroneously stated, it was open to any member to correct the error. The following was the table, as furnished by that gentleman:—

Average Rate of Freights, Provisions, and Wages, from 1821 to 1824 and from 1826 to 1829, all inclusive. [The year 1825 was omitted, as being one of feverish excitement and unusual speculation.]

	FREIGHTS.	per ton.					
From 1821 to 1824.—	Memel . .	£1	3	3			
	Petersburgh	4	1	10			
	America . .	2	4	6			
	Total .				7	9	7
From 1826 to 1829.—	Memel . . .	1	0	1			
	Petersburgh	3	10	9			
	America . .	1	15	9			
	Total .				6	6	7
	Difference . . .				1	3	0

Being equal to a diminution of 15*l.* 7*s.* 7*d.* per cent.

	PROVISIONS AND WAGES,						
From 1821 to 1824—	Beef . .	£4	19	4			
	Pork . . .	3	10	3			
	Bread . .	0	13	9			
	Wages . .	2	17	6			
	Total . .				12	0	10
From 1826 to 1829—	Beef . . .	5	15	3			
	Pork . . .	4	1	10			
	Bread . .	0	18	10			
	Wages . .	3	0	0			
	Total .				13	15	11
	Difference . . .				1	15	1
	Per cent increase				14	11	4

By that, it appeared that the total alteration against the Ship-owner in the latter period, compared with the former, was 29*l.* 18*s.* 11*d.* per cent. These facts spoke volumes as to the distress which prevailed in the Shipping-interest. It was impossible that the Ship-owners could remain passive under such circumstances, and see their property thus slipping out of their hands, without making some effort to procure relief. The fact was, that the Shipping-interest of this country had been depreciated 100 per cent. Their distress had been going on increasing from year to year, and that fact alone should be sufficient to induce his Majesty's Government to turn its attention to the subject, with a view to afford them some relief. The petitioners merely laid their case before Parliament; they stated that many of the Ship-owners in this country had been reduced to beggary, and that if things went on as at present, and no measures were devised for their relief, their situation would be perfectly hopeless and ruin must ensue. It was impossible that Parliament could allow this interest, which contributed so materially to the maintenance of the national glory and honour, thus to sink into utter and complete ruin. All that he asked on the part of the petitioners was, that the Government and the House would apply themselves to the subject, for the purpose of devising some remedial measures for the relief of this great and important national interest.

Mr. *Marryat* said, I have listened with attention to the statement of the hon. Gentleman who presented the Petition, and I can affirm, from my own knowledge, that the distress of the Shipping-interest is by no means exaggerated. The Ship-owners were the first interest to experience that distress which has since unfortunately pervaded all classes: they have suffered long, and most severely. The evidence of this may be found in the present indifferent construction and parsimonious equipment of those vessels, which formerly stood pre-eminent in the commercial marine of the world. I remember the time when a British ship was insured at half the premium asked upon the foreigner. Now, from the causes I have stated, a foreign vessel is often preferred to the British. Notwithstanding this, I am afraid that it is not possible to grant effectual relief by legislative measures. In my judgment, the distress is to be ascribed to the natural approximation to the low prices and profits of foreign nations, which has arisen from the free intercourse since the peace. It is well known that the price which our surplus commodities command in the foreign market regulates the price at home. We have more shipping than we can employ in our coasting and colonial trades (which are, in fact, our home market as regards shipping.) The surplus ships seek employment in foreign trades, where they must of necessity navigate upon terms as low as foreign ships. These low freights bring down the freight of British ships at home to the same level; and thus cause a universal depression. I sincerely lament this distress, but am afraid the proposed remedies would in the end only increase the evil. To restrict our imports to British bottoms only, would be useless, unless we could at the same time reduce our shipping to the exact quantity necessary for our own trade, so as to have no surplus requiring employment in the foreign trade. Such being my conviction, I see no means of alleviating the British Ship-owner, except by reducing the duties upon all articles required in the construction and outfit of his vessels, in order that he may, by cheapness of materials, be enabled in some degree to compete with his foreign rival.

Mr. *Robinson* said, he had been particularly requested by the petitioners to support the prayer of this Petition, and he rose to discharge that duty with very great pleasure. The petitioners complained, that since the period when they asked for a Committee of Inquiry—namely, the Session before last, when that committee was refused, the depression which then existed in their trade, so far from getting better, since that time had gone on continually increasing; that the diminution in the value of their property had proceeded at rapid strides; that the rate of freights had become still lower; and that their ships were employed now in many instances without any profitable return. It became the House to consider whether this important national interest should be consigned to ruin without any effort being made to afford it relief. His hon. friend, in presenting the Petition, had said, that the petitioners did not point out any particular remedy for their distress. They certainly did not, because they were of opinion that, without inquiry, it would be presumptuous on their part to dictate to the House the species of remedy which they conceived should be employed for the removal of the distress. It was for the House to institute an inquiry, and to apply the proper remedy. He recollected that in the course of an incidental discussion upon this subject last Session, the hon. member for Liverpool (Mr. Huskisson) said, that he did not believe that the Shipping-interest was so much depressed as it was described to be, for that we went on building ships, and he could not be satisfied that the Shipping-interest was in such distress while that was the case. He was obliged, however, to deny the correctness of that statement at the time, and he would refer the hon. Member to an account of the number of ships built in the years 1827, 1828, and 1829, to show that there had been latterly a considerable falling-off. He had taken the trouble that day of consulting the Finance Accounts for the last year, which were not, as yet, in the hands of hon. Members; and it appeared by them that a great falling-off had taken place in ship-building. The facts which he should state afforded ample grounds for investigation; and he trusted that these facts, which showed that the Shipping-interests were in a dreadful state of destruction and depression, would make such an impression upon the Government and the House as to induce them to institute an inquiry. He found by the Finance Accounts, that during the year ending the 5th of January in each of the following years, the number of ships built, with the amount of their tonnage, was as follows:—

	Ships.	Tons.
1827	1,719	207,088
1828	1,440	163,946
1829	1,185	128,752
1830	1,075	110,681

Thus exhibiting a decrease of 279 vessels, and 43,142 tons, in 1828; of 534 vessels, and 78,336 tons, in 1829; and of 614 vessels, and 96,407 tons, in the last year, 1830, as compared with the year 1827. That table showed that there had been a diminution of nearly one-half in the amount of tonnage built during a period of only three years. That was an important fact to illustrate the present condition of the Shipping-interest, and was more impressive than the mere fact of the quantity of employment obtained by our ships, which had been cited as an argument to prove that the distress was not so general as had been stated. The truth was, that whatever ships were in existence must be employed, or abandoned altogether, as property, for that was the only alternative. If they were not employed and kept, they occasioned a ruinous expense without any profit. But were they to be seriously told, that when persons employed vessels they must necessarily make profits by them? It was not, in fact, possible to tell, when a vessel commenced a voyage, that it would turn out advantageous, which could only be determined at the end of the voyage. It should be recollected, too, that the Ship-owner always went on hoping for an improvement, though the state of his trade might be every day getting worse and worse. He could prove that, by a reference to the number of foreign and British ships trading to the ports in the Baltic. His hon. friend, the member for Hull, had expressed his dissent from the opinions of the petitioners, with reference to what he (Mr. Robinson) would say, was falsely called the system of reciprocity. That system, conjoined with other causes, had increased the depression and distress of the Shipping-interests of this country. It was not possible for British ships, while burthened with one-third more expense, and subject to increased charges in the shape of taxes, to compete with foreign ships. To prove that, he would refer to an official return of the number of Foreign and British vessels which had cleared outwards for and entered inwards from the ports of Sweden, Norway, Denmark, and Russia. The number of foreign vessels entered inwards from those countries for the different ports of the United Kingdom in the year 1829 was 1,946; the number of British vessels employed in that trade for the same period was only 1,164—the foreign tonnage amounted to 293,402 tons, and the British to 187,822 tons. The number of foreign seamen employed was 14,573, and the number of British only 8,554. It would be found too, that a similar disproportion existed between the number of British and foreign vessels cleared outwards in the same trade during the same period. The number of foreign ships cleared outwards for the ports of Sweden, Denmark, Norway, and Russia, was 1842, amounting to 267,579 tons, and employing 13,425 seamen. The number of British ships cleared outwards in the same trade for the same period was 1,023, amounting to 139,462 tons, and employing 7,656 men. These facts showed, that in the trade with the ports of the Baltic and of the North of Europe, we were not able to compete with the vessels of foreign ship-owners. He saw that within the last three days another reciprocity treaty had been laid on the table of the House, formed with the Emperor of Austria. He would not, upon the present occasion, enter into the policy of that treaty; but this he would say, that it did appear to him most strange and incomprehensible that we should open all the various and numerous ports of the United Kingdom to a power which had only three ports in its dominions to which our ships went, Trieste, Venice, and Fiume. Venice, be it also recollected, was now a free port; and therefore to Venice we should have had free access without any reciprocity treaty. The fact was, that owing to such impolitic regulations, the declension of our Shipping-interest was great and general, and he contended that upon investigation it would be proved to be so beyond all possibility of contradiction. It appeared from a petition which was now upon their Table, that in the port of Whitby, where in 1826 there had been eight ship-yards and seven graving-docks, and upwards of 1,000 men regularly employed, three of the former had been given up already, and two more were going to be abandoned; and that all the docks would be given up and the trade entirely relinquished, unless something were done for its relief by the Government. Let the House consider how the distress of the Shipping-interest affected the general interests of the country. It was not merely because our commercial greatness would pass away like an empty vision if the Shipping-interest of the country were ruined, that he called attention to this subject, but because it had a tendency to augment and aggravate the distress of every other interest in the community. The Shipping-interest gave occupation to many branches of industry: it consumed considerable quantities of various of our manufactures, and thus gave employment and subsistence to a vast portion of our labouring poor. He therefore contended, that it was well worthy of the attention of the House; and in spite of the various instances of refusal to enter into committees of inquiry which had occurred during the present Session, he hoped that the House would see that it was its duty not to continue in a blind adherence to a system which ought now at least to undergo examination, as all the predictions of its success had been completely falsified. We were at present pursuing a course which seemed likely to lead to great mischief; and he thought that the sooner we paused in our career, the better it would be for the country. It had been said, "What good will inquiry do?" He would answer that question by another—"Will it do any harm?" If the investigation for which the petitioners asked were granted, and it were proved in the course of it that the evils of which they complained were attributable to other causes from those which they imagined, they would see that those evils were inevitable from their situation, and would learn to bear them with patience and fortitude; but they would never be satisfied to be told without examination, and on the mere dicta of some official gentlemen, that the distress which overwhelmed them was at once inevitable and irremediable. The ship-owners had, in their general distress, a decided case against the vague representations which had been made of their prosperity, and there was also a *primâ facie* case against these representations in the constant refusal of Government to grant any inquiry; for it was quite clear that if Ministers were convinced that an inquiry would bear out their representations, they would not have the slightest objection to grant it. He admitted that the present was too important a question to be thus incidentally introduced to the consideration of the House, but as his hon. friend, who presented the Petition, had no intention to follow it up by any motion, he, as a Ship-owner, had felt himself induced to call attention to it. Whether his hon. friend intended at some future period to found a motion upon this Petition, he did not know; and being in that state of ignorance, he thought it right to state fairly, but without exaggeration, the distressed condition of the ship-owners, and to express a hope that the Government would look to it with all the attention which its importance required. He hoped that the reciprocity system would not be followed up by the formation of any more treaties with foreign powers, until the result of the treaties already made was more fully known. We had already gone far enough in that system; we ought to wait for the experience of a few years before we went further. If that experience should prove that the system was good, then we might proceed further; but till then the system ought not to be extended. The only parties who co-operated with us in that system were those small states which had every thing to gain and nothing to lose by it. Those great commercial nations, which by adopting the reciprocity system were most likely to conduce to our benefit, would have nothing to do with it; they determined to employ their own ships in their own trade, and instead of meeting us with concessions similar to our own, they rendered our access to their ports expensive by imposing high duties. He therefore thought that it was a question which Government ought to consider immediately, whether they could not alter for the better the present boasted reciprocity system.

Mr *William Duncombe* said, that the object of this petition had been so fully and ably stated by the hon. and learned member for Hull, that he did not feel it necessary to say many words in support of it. But as he had presented petitions of a similar nature from several other sea-ports in the county which he had the honour to represent, he could not let the opportunity pass without expressing a hope to the president of the Board of Trade that he would institute a minute inquiry into the condition of the Shipping-interest. He was convinced that the distress of that interest was not, as that of Birmingham had been represented to be, imaginary, but urgent, clear, and almost overwhelming. The petition which he had presented from Whitby on a former night, stated that several of the establishments for ship-building in that town had been given up, and that others now in existence were likely to share the same fate. The petition which he had presented from the port of Scarborough contained the same statement, and both that petition and the former attributed the distress of the Shipping-interest to the alteration of the Navigation-laws in 1826. He concurred with the petitioners in that opinion; and he trusted that if it were possible for Government to make an alteration in those treaties which had grown out of the reciprocity system, they would apply themselves to that task without delay. He trusted that they would also examine whether relief in some other shape could not be afforded to the Shipping-interest; for it was not merely the ship-owners, but all the artisans who depended upon them for employment, who were affected by the severity of the distress which now pressed upon the Shipping-interest. In conclusion, he expressed a hope that this subject would even yet be deemed worthy of inquiry.

Mr. Alderman *Waithman* supported the petition, and expressed his concurrence with what had fallen from the hon. Member who had presented it. He hoped that the President of the Board of Trade would take the subject into his consideration with a view of affording relief.

Mr. *Hume* rose also to express a hope that the right hon. President of the Board of Trade would take some notice of the statements which had just been made to the House. He was one of those who thought that some relief might be granted to this particular branch of trade. One of the objects prayed for in the petition presented by his hon. friend, the member for Hull, was certainly within the power of the Government. It was quite possible for the Government to reduce the rates paid by merchant vessels for lighthouses—rates which put about 18,000*l.* or 20,000*l.* a year into the coffers of the Commissioners of Woods and Forests, but which took 18*l.* or 20*l.* from each vessel to put into the pockets of the nobility and gentry who farmed them. The Government might also reduce the rate of duties levied on various materials used in ship-building, such as hemp and timber; indeed, he thought it was a duty incumbent upon Government to reduce them. He could not, however, concur with the hon. member for Worcester (Mr. Robinson), in attributing the present distressed condition of the Shipping-interest to the reciprocity treaties. But for those treaties he believed that things would at present have been much worse. For though it might be true that the Shipping-interest was now in a very low condition, every branch of industry, even those which had no connexion with the reciprocity system, was in an equally depressed state. The hon. member for Worcester had stated, that the predictions made about the success of the reciprocity system had signally failed, but had not said a single word to show how they had failed. He had shown that the Shipping-interest was in distress; but so were other interests. As to the want of employment, of which the ship-owners at present complained, it was one of those accidents which could not be avoided. If we had more ships than were required, the supply must be reduced to the demand. He believed that the supply was now reduced to the demand, and he hoped that by next year they would hear that every ship was in full employment. The hon. Member concluded by expressing a hope that the Government would take off the tax which was imposed on every seaman on board of a commercial vessel for the benefit of the chest at Greenwich Hospital. He conceived that it ought to be taken off, because it was partial in its collection, and unjust in its operation.

Mr. *Herries* thought, that the House would have been more surprised if he had entered into a discussion like the present, containing such various topics, and embracing so wide a field, on the presentation of a petition, than it now was on hearing the hon. member for Aberdeen taunting him for his silence. Had it not been for the appeal made to him by the hon. member for Montrose, he should not have risen for one moment to address the House on the present occasion. It was to vindicate himself from the possible imputation of any want of respect to the hon. member for Hull, who had presented this petition, and to the important subject to which that hon. Member had called the attention of the House in the course of his speech, but on which he had not founded, or expressed his intention to found, any motion, that he now trespassed for a few moments on its consideration. He could not consent to enter, upon the present occasion, into any discussion of that great question which the hon. member for Worcester had brought under the notice of the House: for, if he touched upon that topic, what topic, already introduced into the debate, was there, which he could properly fail to notice? The first topic on which he would be called to enter would be that of free trade; and he used the term free trade, because it was the denomination by which a system of commercial policy recently adopted was generally entitled in that House. The hon. Member who presented the petition seemed to take the same view of the question of free trade which he himself was disposed to take. He might therefore leave that hon. Member to give his opinions before him upon that subject, and to refute the observations of the hon. member for Worcester. The same answer would apply to all that had been said on the present occasion respecting the bonding system. Plausible as the arguments against it might appear on the first view, it became quite preposterous, after considering the subject maturely, to think of doing it away. He had had several interviews on the subject with some of the leading Members of the interests to which the hon. Member professed to belong; and the scheme of getting rid of the bonding system was no sooner mentioned in argument than it was immediately abandoned. The hon. member for Hull seemed to agree with him also upon this topic—so that there was no occasion for him to pursue it further. Then there was the reciprocity system! Was the present an occasion on which he ought to address the House for the purpose of showing that the consequences attributed to that system had not emanated from it? That system was no system of his. He could not, therefore, be supposed to have any unfair predilection for it. It had been introduced by others, and though he had fully concurred in the views of those who had adopted it, it by no means followed that he was to defend it at all hazards. Still, though he would not enter into the discussion at present, he was prepared, at the proper time, to show that the hon. Member was completely mistaken in the view which he had taken respecting it. The very fact that the average amount of British tonnage entered inwards and cleared outwards for the last four years greatly exceeded the average amount of British tonnage during the four years ending in 1824 before the alteration of our system, was a proof that the alteration had not been productive of mischief to the Shipping-interest. There had been an increase of 242,882 tons entered inwards in the latter period. There had likewise been a proportional increase in the number of ships, of tonnage, and of men cleared outwards within the same time. He admitted that in foreign shipping there had been a small increase; but upon the whole, the great increase of employment had undoubtedly been in favour of British shipping. This was a fact which was not known to him alone—it came within the knowledge of every man who gave himself the trouble of attending to this subject. That there had been an increase of the foreign shipping engaged in the British trade was a point which he did not mean to deny; but the increase of the foreign tonnage was to the increase of the British tonnage in the ratio of 5,000 to 200,000. He mentioned this, not for the idle purpose of gaining a temporary advantage in debate, but for the sake of dispelling the gross delusions which prevailed in certain quarters on this topic. He did not enter at present into the question of the profits or of the distress of the shipowners, who were employed, as they stated, at a loss. He would only say, that there was, on the part of Ministers, no want of anxious attention to the condition of the Shipping-interest. There was, on the contrary, an earnest desire to apply their best abilities to the consideration of any remedy which the members of that interest could point out for the grievances of which they complained. Ministers were, and had been, ready upon all occasions to listen to all their petitions, to weigh them with care, and to argue them with patience, and they had never turned a deaf ear to any statement which had come from this important branch of the trade of the country. He assured the House that Ministers were inclined to pay attention to those parts of the petition which were of a peculiar kind, not referring to the foreign policy of the country, but to the burthens more peculiarly affecting the Shipping-interest; and concluded by promising that they should be made the subject of his immediate consideration.

Mr. *John Stewart* referred, in confirmation of the assertions of the right hon. the President of the Board of Trade, to a declaration contained in the Report recently made by the Committee on commerce to the Congress of the United States. That declaration was as follows:—"When the present and past condition of our navigation are contrasted,—when we compare the increase of British and American tonnage before and since the war, and show the rapid growth of the commerce of the British North American possessions, we shall learn to comprehend the advantages of a system of free trade, and we shall perhaps feel no small degree of alarm, lest our fatal restrictions should have already driven us too far in the rear of all our rivals for national power and naval ascendancy." Attached to that report was a comparative statement of British and American tonnage actually employed; and from that statement it appeared, that for the last few years the increase had regularly been on the side of British, and the decrease on the side of American, tonnage. The hon. member for Worcester had quoted the number of foreign vessels entering inwards as a proof of the mischief arising to the Shipping-interest from the reciprocity system; but the evidence which the hon. Member had brought in support of his position did not appear to him to be altogether satisfactory. For his own part, he believed that all foreign shipping was in a much worse situation than our own. The distress of the Shipping-interest was not the malady of our country, but of the times. He believed that the further we advanced in experience, the more should we be convinced that the doctrines advanced upon this subject by his right hon. friend, the member for Liverpool, were doctrines founded on sound policy and the most philosophical principles of political economy. They were the seeds which would hereafter ripen into a plentiful harvest of national wealth; and to their prosperous results might be applied the beautiful expression of Virgil—

> "Tarda venit seris factura nepotibus umbram."

The Petition was then brought up. On the question that it be laid upon the Table,

Mr. *Robinson* said, that he must be permitted to make one or two remarks on the observations which had fallen from the right hon. President of the Board of Trade. The right hon. Gentleman had said truly that there had been—not that there is—an increase in the amount of British tonnage entered inwards and cleared outwards. Though the right hon. Gentleman had not given the returns up to the latest period. He had seen them; and by the official return for the last year, which had not yet been published, it appeared that there had been a decrease in the amount of tonnage for the present year. The right hon. Gentleman said, that there had been an increase in the amount of British tonnage employed in trade generally. He would undertake on another opportunity to show, beyond all possibility of contradiction, that that increase belonged entirely to the vessels engaged in our colonial trade, which had nothing to do with any reciprocity system, and to the vessels engaged in the Brazilian and Indian trade. He would undertake to show that there had been, during the year ending December, 1829, a decrease in the registered tonnage of the United Kingdom of no less than 642 vessels.

Mr. *Herries*, in reply, stated that he had spoken of the increase in the amount of our tonnage from returns made up to the latest period. He had stated that the amount of British tonnage entering inwards and clearing outwards for the last four years was superior to the amount for the four years immediately preceding the year in which we made the alterations in our commercial system; and he now said, that the amount of men, tonnage and ships entering inwards and clearing outwards, during the last year, was greater than ever it was at any former period. Take the amount, for instance, for the years 1828 and 1829. In 1828, hte number of ships entering inwards was 13,436, their tonnage was 2,094,357, and the number of men employed was 119,141. In 1829 the number of ships entering inwards was 13,659, their tonnage was 2,184,535, and the number of men employed was 122,185. Thus the difference in favour of the year 1829, for ships entering inwards, was, in ships, 223, in tonnage 90,178, and in men 3,044. In 1828, the number of ships clearing outwards was 12,248, their tonnage was 2,006,397, and the number of men employed was 119,143. In 1829 the corresponding numbers were—ships 12,636, tonnage, 2,063,179, men, 119, 262. Thus the difference in favour of the year 1829, for ships clearing outwards, was, in ships 388, in tonnage 56,782, and in men 119. Surely this would satisfy the hon. Member for Worcester. He had also spoken of the comparative average amount of ships, tonnage, and men entering inwards and clearing outwards, for the four years ending with the 5th of January 1822, 1823, 1824, and 1825; and for the four years 1826, 1827, 1828, and 1829; and if the hon. member would allow him, he would shortly state it to the House. In the first of these two periods there were entered inwards, on an average, ships 11,894, tonnage 1,836,223, men, 110,734; in the latter of them there were—ships 13,175, tonnage 2,079,105, men, 117,775; leaving a difference in favour of the last period, of ships 1,281, tonnage, 242,882, men 7,041. In the first of the same two periods, there were, of ships clearing outwards, 10,172, tonnage, 1,634,327, men, 101,034; and in the latter, ships 11,802, tonnage 1,923,671, men, 113,999; leaving again a difference in favour of the latter period—of ships, 1,630, tonnage 289,344, men, 12,965. He would likewise state that the increase of British ships, on the average of the last four years, over foreign ships, engaged in foreign navigation, was—in ships entering inwards 464, in tonnage, 5,000, and in men, 530; and in ships clearing outwards was, 820, tonnage, 30,000, and men, 2,400.

Mr. *Robinson* again contended, that in the return which he had seen there were 642 vessels of registered tonnage less this year than there were last.

Mr. *Trant* asked whether the right hon. Gentleman included steam-vessels in his account.

Mr. *Herries* answered, No.

The Petition laid on the Table. On the motion that it be printed,

Mr. *Sykes* returned thanks to his hon. friend, the Member for Montrose, for having excited the right hon. President of the Board of Trade, by his observations, to give some reply to the statements of the petitioners. He thought that this question would have been left in a very unsatisfactory condition indeed, if it had not elicited from his right hon. friend the observations which he had just made. His object in giving notice of his intention to present this petition to-day, was to apprize Ministers of the importance which he attributed to it, and to call upon them to declare their sentiments upon it. If his right hon. friend had persisted in his original determination to keep silence, the greatest dismay would have fallen upon the petitioners. It would have pleased him much more if his right hon. friend, instead of dealing in general professions of the attention which he and his colleagues were always ready to pay to the complaints of the ship-owners, had said that he was prepared to bring forward some specific measure for their relief. As to Free Trade, that was a subject on which he had not thought fit to say a single word: for on this subject, of all others, he thought that a discussion of its merits ought not to be introduced. Free Trade, as he understood the phrase, consisted in the greatest extension of imports and exports into and from every country in the world. To other interests it might be one of the most pestilent heresies that ever existed; he did not, however, think that it was; but to the ship-owners it could not but be favourable, as they were, and must always remain, the carriers of the world, and it gave them, as far as possible, the liberty to go to every part of the world.

The *Chancellor of the Exchequer* moved that the House, at its rising, do adjourn till Monday next.

FOREIGN RELATIONS OF THE COUNTRY.] Lord *J. Russell* said, that he would take the present opportunity of putting a question to his Majesty's Ministers with respect to the Foreign Relations of the Country. In his Majesty's Speech from the Throne, at the meeting of Parliament in the present Session, the House had been informed that certain things were pending with reference to Greece, and that when the arrangements were complete, Parliament would be duly informed of the fact, and that the papers connected with those arrangements would be laid before the House. Nothing of the sort had as yet been done. Since this declaration, a speech of the King of France had appeared in all the public Newspapers, in which his Most Christian Majesty informs his two chambers, that the negotiation with respect to Greece had come to a close, and that a Prince had been chosen by the common consent and agreement of the Allied Powers to preside over the destinies of Greece. Although the Prince was not named in his Most Christian Majesty's speech, it was perfectly understood by every body that the allusion was to his Royal Highness Prince Leopold—and he was sure, that a choice more perfectly calculated to ensure the future happiness of Greece, and to establish permanently her pacific connexion with the rest of Europe, could not be made. But this announcement on the part of the King of France to the Chamber made him anxious to inquire of the right hon. Gentleman opposite (Mr. Peel) whether the negotiation having apparently come to a conclusion, the time had not arrived when the right hon. Gentleman would receive a command from his Majesty to lay all the papers relating to the arrangements before the Houses of Parliament? With reference to what might be contained in these papers, it would be premature in him to offer any opinion, but he certainly could not help calling the attention of Parliament to the subject. He was sorry to say that this very important question concerning the kingdom of Greece, as well as the foreign affairs of this country in general, received too little consideration both from Parliament and the public. He was fully aware of the very great importance of the numerous domestic questions which pressed upon the House from day to day; but at the same time he could not but recollect that the most important of all those questions—the weight of debt and taxes which pressed upon the resources and productive industry of the country—were to be attributed to a course of foreign policy which he certainly thought was ruinous, and which, in his opinion, had laid the country under difficulties from which it would require the utmost efforts to save her. He was most anxious to form an opinion upon the foreign policy of the Government of the country, by paying attention to the papers which his Majesty's Ministers might lay before Parliament. He wished, by a consideration of such papers, to decide whether his Majesty's Ministers, in the course of the negotiations that had taken place in the last two years, had pursued a course which was at once pacific, and which had maintained the character of the country? It did appear strange to the House and to the public, that so much of the Session had been allowed to pass—that the House had been called upon to sanction so many measures, and to consider such various and important topics, without his Majesty's Ministers having laid before Parliament papers relating to the negotiation he had alluded to, and the production of which had been in a manner pledged by his Majesty's Speech from the Throne. He was the more anxious on account of a few words that had incidentally been dropt by a right hon. Gentleman opposite, in the course of the debate that had taken place the other night in voting the Navy Estimates. It appeared, by the speech to which he alluded, and which had created a great sensation throughout the country, that in July last the political atmosphere had been perfectly clear and undisturbed; but that in the August following, without any previous signs, a sudden change had taken place, and that, in point of fact, the country was on the very eve of a war. If this war had really taken place—if this war had been a war to protect Turkey from the oppression of Russia, he felt quite confident that the flames of war would have extended to the rest of Europe. This country could not expect to be delivered from such a war but at the expense of at least three hundred millions added to the debt, independent of increased taxation, and impediments laid upon every branch of productive industry. These were the evils to which this country would have infallibly been exposed; and he was, therefore, impatient to know what had been the conduct of Government in this transaction. It would be very difficult to convince him that any necessity had existed to bring the country so near to the very verge of hostilities. He could not but avow that he had a great and general distrust in the policy of his Majesty's Government with respect to foreign States. With reference to Portugal, that distrust was founded upon reasons which he had already stated to the House, and he should be ready to support his opinions in his place when the question respecting Terceira was again brought before Parliament. With reference to Russia and Turkey, his impression was unfavourable to the policy which his Majesty's Ministers had thought it proper to adopt. He would not, however, pronounce any opinion upon the subject, as it might possibly be changed by the papers which he supposed that Ministers would lay before the Parliament. He would own, however, that his unfavourable impression was strengthened by the delay in producing the papers. With respect to domestic affairs, he had already voted with Ministers upon several occasions. In the questions of Currency and Trade, he was ready to support the line they advocated. He had, in fact, no grounds of opposition to their domestic policy. But in their foreign policy he had not the same confidence, and he believed that respecting it many hon. Members entertained the same distrust and suspicion as himself. He therefore hoped that the papers would be laid before the House as soon as possible; but if, as the King of France had stated, there were certain negotiations not yet concluded, he allowed that the right hon.

Gentleman could not produce these papers until the difficulties in the way of such a proceeding were brought to an end. Still he begged to submit, that if these negotiations were nearly concluded, the right hon. Secretary might, perhaps, give the House some pledge that no time would be lost in laying the papers before them.

Mr. Secretary *Peel* said, he could assure the noble Lord that his Majesty's Ministers were anxious to produce the papers which related to the negotiations regarding the future condition of Greece at as early a period as they could, consistently with that which must be the leading object of all statesmen—the permanent interests of this kingdom, and those likewise of that country in whose affairs we had been induced to interfere. He had the satisfaction of stating that the parties who signed the Treaty of the 6th of July, 1827, had come to a resolution respecting the government of Greece, and the relations it was to hold with other powers; and he had also the satisfaction to say, that they were in perfect accord as to the Prince to whom the Sovereignty of that country was to be committed. On these main points, the future government of Greece, its future condition (which, he was happy to declare, was to be one of unqualified independence), and lastly, the selection of the Prince who was to preside over its destinies—on all these great points there was the most complete concord, and the most perfect unanimity between the Allied Powers who had signed the Treaty of the 6th of July. That concord had existed from the beginning, and up to this moment was uninterrupted. But there were some points of a subordinate nature, on which negotiations were still pending, and until they were brought to an end, the noble Lord himself must concur with him that it would not be for the public interest to produce the papers; he was sure, however, that at no distant moment, he should receive the commands of his Majesty to lay them before the House. He was also sure that this would be done at the earliest possible time consistent with the interests of England, and the permanent welfare of Greece. The noble Lord had stated that he approved of the domestic policy pursued by the Administration, but that he viewed the foreign policy with some suspicion and distrust. Now, he could not help thinking that the distinction arose from the circumstance that there was not the same opportunity of giving that immediate explanation respecting the course pursued by Government in the one that there was in the other. The domestic policy was in itself of necessity more clear—it was the subject of constant discussion in that House; but it was obvious that the same facility did not exist as to foreign policy. Silence was imposed upon the Ministers for a long period in many instances. If, then, on those points in which Ministers had means of explanation the noble Lord gave them his confidence, and if there were points on which they could not give an explanation, he hoped that the House would not follow the example of the noble Lord as to our foreign policy, but, on the contrary, suspend its judgment until Ministers could give a full account of their proceedings; and he entertained the utmost confidence, that when this took place, the decision would be in their favour, as well in regard of foreign policy as in that of domestic policy. The House might rest assured, that after having completed the pacification of Greece, they would neither sacrifice the permanent interests of that country nor of this; and that also the most anxious attention would be paid to that which must be as dear to them as any worldly or pecuniary interest whatsoever—he meant the high character of the British nation [*cheers*].

Lord *J. Russell* asked if the negotiations then pending related to the affairs of Greece, or to those of the Ottoman Porte?

Mr. Secretary *Peel* stated, that they were negotiations between the three Allied Powers on the one hand, and the Prince designated as Sovereign of the country on the other. The right hon. Gentleman, after a short pause, gave a further explanation of what, he said, was a very important point which he had inadvertently omitted, in replying to the questions of the noble Lord. He was unwilling to leave it in that degree of uncertainty which might seem to warrant the correctness of the noble Lord's opinion. The noble Lord said, that from something which had passed in that House, he had been led to understand that in August last we were upon the verge of a war, in order to protect Turkey from the attacks of Russia. Now he could not acquiesce in the correctness of the noble Lord's inference. He was not aware that the country was on the verge of war at the period alluded to, and still less for the purpose of protecting Turkey or Constantinople from the Russians.

Lord *J. Russell* said, that he had been led to this opinion in consequence of what had fallen from the Secretary to the Admiralty respecting the hospital at Malta. In July it appeared that Government did not consider it necessary to go on with the works at this hospital; but in August an emergency of so grave a nature was stated to have arisen, that Government considered itself justified in applying certain monies to the completion of this establishment, without waiting for a vote from Parliament. From this he had naturally inferred that there was an apprehension that the fleet at Malta might be brought into immediate action. He said then that we must have been upon the verge of a war, and he was not contradicted. The right hon. Gentleman did certainly now say 'no.' But still the statement of the right hon. Secretary to the Admiralty, combined with rumours he had heard from unofficial quarters, to the effect that the Russians were informed that if they proceeded in the extension of the blockade of the Dardanelles, the consequence to them would be a war upon the part of this country—had all induced him to entertain the suspicion, and arrive at the conclusion, to which he had given utterance. It might be that these rumours were perfectly unfounded. Such, however, did not very clearly appear to be the fact; but when the papers which he was desirous of having, came before the House, the necessary information with respect to those transactions would be obtained, and we should then see how the matter stood.

Sir *G. Cockburn* said, the noble Lord had mistaken the nature and tendency of the statement made by the Secretary to the Admiralty. It had been simply stated, that because in August our force in the Mediterranean had been increased from six thousand to eight thousand men, and from six to nine sail of the line, there would be a necessity for an increased accommodation in the Seamen's Hospital at Malta. Nothing had been breathed respecting the country being upon the verge of a war.

Mr. *Hume* said, the statement was, that a case of emergency had arisen which warranted the Admiralty in venturing to increase the expense of the particular item in question, even without the sanction of the House. He could assure Gentlemen opposite, that among persons sitting on this side of the House the impression created, not only by what fell from the Secretary of the Admiralty, but by the observations of another right hon. Gentleman, now in his place, was, that such a danger as that described did exist last August.

The *Chancellor of the Exchequer* said that he had stated that applications had been made to increase the establishment of the Naval Hospital at Malta beyond its amount, when there were only six thousand men in the Mediterranean, because circumstances had induced Government to raise that force to eight thousand men, and such being the case, they necessarily required a more extensive establishment, and an augmentation was made in the Naval Hospital.

Sir *J. Wrottesley* entirely acquitted the right hon. Gentleman of having given any ground for supposing that a war was impending in August; but from what fell from the Secretary to the Admiralty, he must say that the strong impression upon his mind at the time was, not only that it had been likely that the hospital would be called into action to a greater extent than usual by reason of the augmentation of force in the Mediterranean, but that it had been necessary to provide for the contingency of having a certain number of wounded men to take care of; and it struck him at the time as being rather extraordinary that a communication so important as he considered that to be, should have come from a Gentleman not in the Cabinet.

Lord *Howick* observed, that the exact words made use of on such an occasion are important; and he believed he could state them pretty accurately. The right hon. Secretary said, that in the month of July the Lords of the Admiralty thought no increase in the hospital at Malta would be necessary; but that in August, there being a prospect of the fleet being called into immediate action, it was requisite to augment the hospital.

Sir *G. Cockburn* said, it was stated that in July there was no intention of augmenting the establishment; but that in August, an increase having taken place in the Mediterranean fleet instead of a decrease, it was necessary to augment the hospital. Nine sail of the line were upon the station: it was impossible to tell what might be the result, but he did not say there had been a probability of war.

The conversation dropped, and the Motion for the adjournment of the House at its rising till Monday was agreed to.

SUPPLY — REPORT — CIVIL CONTINGENCIES.] The *Chancellor of the Exchequer* having moved the Order of the Day for receiving the Report of the Committee of Supply, observed that it was his intention only to ask for a vote on account of the Civil Contingencies. He should then proceed with the Ordnance Estimates.

Mr. *P. Thomson* said, it had been his intention to take an early opportunity of calling the attention of the House to the important subject of the collection of the Revenue. His own wish was, that a committee should be appointed to inquire into the extraordinary amount of the charge of collection: however, he understood that Government intended to make an inquiry into the subject themselves. If this were confirmed by the right hon. Gentleman opposite, he should feel disposed to wait till the result of that inquiry was known. He now asked the Chancellor of the Exchequer if steps were to be taken by Ministers for the formation of a commission to investigate the matter, and if such were the case, whether we might expect any report or information on the subject before the close of the Session.

The *Chancellor of the Exchequer* flattered himself that he could give a satisfactory answer to the hon. Member's question. On the night of the Budget he had intimated that it was the intention of Government to have two commissions—one to inquire into our colonial expenditure, the other to investigate the collection of the revenue. The commissioners would shortly commence their labours, and he had no doubt that before the period mentioned by the hon. Member, they would have advanced so far as to be enabled to lay some information on the subject before the House.

Mr. *W. Smith* called the attention of the Secretary for the Colonies to the propriety of procuring certain returns, connected (we believe) with the number of deaths in the colonies. The returns, though ordered, had not been laid before the House, and unless the right hon. the Secretary wished otherwise, he should move that those orders be complied with forthwith.

Sir *G. Murray* explained the circumstances under which the subject had been introduced last Session. An hon. Member had moved for a return of the deaths at Sierra Leone; and combining the unhealthiness of this colony with others, he proposed that similar returns should be produced respecting them. But there were many objections to this. Hon. Gentlemen would at once perceive, in the first place, that as some colonies were healthy at one season, or one year, and the contrary at another season and at another year, there was evidently no means of arriving at an accurate conclusion by such returns; and secondly, there was much doubt whether they would be attended with any public advantage. The promulgation of the unhealthiness of any particular station might disincline the troops to going there (although he allowed they, on all occasions, displayed the utmost alacrity in obeying orders); and were it only on that account, he thought it might be as well passed over. It might do mischief, and could produce no advantage; the more especially as the hon. Member for Montrose proposed to bring forward a motion respecting Sierra Leone. In conclusion, he submitted to the hon. Member if it would not be well for him to withdraw his notice respecting these returns.

[Mr. Alderman Waithman rose to present a petition; but he was declared out of order, and compelled to sit down.]

The Chancellor of the Exchequer then brought up the Report of 100,000*l.* granted for Civil Contingencies, during 1830.

Mr. *Hume* asked, what was to be the course of proceeding respecting the Estimates. He was surprised at the Civil Contingencies taking precedence of the Ordnance Estimates. When were the Miscellaneous and Irish Estimates to be brought forward.

The *Chancellor of the Exchequer* said, that the vote for Civil Contingencies was merely on account. As to the course he intended to pursue, he proposed first to go on with the Ordnance Estimates; then the Army Extraordinaries; and lastly, the Miscellaneous and Irish Estimates, in the usual course.

Mr. Hume asked, if Wednesday was to be a Supply day.

The *Chancellor of the Exchequer* said, the object was, to finish the Ordnance Estimates before Easter. He hoped to get through them to-night, or at furthest on Monday.

On the question that the House should resolve itself into a Committee of Supply,

Mr. *Burrell* said, that he himself, the worthy Alderman behind him, and others, had waited four or five hours to present petitions; he thought they should be afforded the opportunity of doing so before any other business was entered on.

The Chancellor of the Exchequer was reluctantly compelled to press his Motion.

SUPPLY.] The House then resolved itself into a Committee of Supply.

Mr. Perceval proposed that 8,933*l.*, for defraying the Salaries of Officers in the Ordnance Departments at Woolwich during the year 1830, be granted to his Majesty.

Mr. *Hume* said, he rose to offer a few observations which could no longer be of any use, since the vote upon which he proposed to touch had been already agreed to. The thrice-told tale about the Ordnance had now become very stale indeed; and from the recent vote, which decided upon the continuance of an unnecessary office, it was perfectly obvious that no reduction in this department was to be expected. He was now fighting in a cause altogether desperate; still he would trouble the House with a few words. There was one extraordinary thing to which he desired to call their attention. The expenses of the Ordnance Establishment, in 1796, were only 18,700*l.*, while at present they amounted to 71,000*l.* It was also remarkable, that when there were four Lords of the Admiralty at 4,000*l.*, there should be a Lieutenant-general of the Ordnance at 1,200*l.* a year, a Surveyor-general at 1,200*l.* a year, a principal Storekeeper at 1,200*l.* a year, a Clerk of the Ordnance at 1,200*l.* a year, and a Clerk of the Deliveries at 1,019*l.* a year. Government was, he thought, called on, if they had any regard to their professions, to make some reduction in this enormous expenditure. He would also, in addition to what he had before said, tell the House an extraordinary fact. In 1796 the Surveyor-general of the Ordnance had only fourteen clerks, at salaries of 2,019*l.*; at present there were forty-seven clerks at 14,034*l.* He could not see why there should be two establishments kept up—one at Pall-mall, the other at the Tower. He should be glad to know, what possible inconvenience could occur from removing the clerks from the Tower to Pall-mall? It could be done without any trouble, and with very little expense, while, by taking that course, a considerable saving would be made. Besides, it was important that all the members of any department should be together, since it materially tended to facilitate the transaction of business. On this ground, he did think, even leaving the important question of economy out of sight, that it was proper to have these different clerks under the same roof. Neither could he observe the utility of keeping up, at enormous salaries, two such officers as the Master-general and Lieutenant-general of the Ordnance, when the Lieutenant-general, by the account of Ministers the other night, did all the business, and the Master-general only assisted him. It was futile however to challenge this salary or that, when they saw a whole department in this way so mismanaged. He could see no cause whatever for laying out 60,000*l.* or 70,000*l.* per annum on a department which in 1797 only required 18,000*l.* or 19,000*l.* Neither could he conceive why the Government should manifest so much reluctance to accede to the recommendation of the committee which had inquired into all the facts. Notwithstanding all the additional expense imposed upon the country, the business was not better done now than it had been formerly.

Mr. *Perceval* observed, that the speech of the hon. Member appeared to be entirely directed to the vote that had been carried the other night; and he thought that the hon. Gentleman must candidly admit that he had made but a rambling statement, from beginning to end. He therefore trusted that he should be excused if he did not follow him accurately and convincingly through every portion of it. The hon. Gentleman had compared the present state of the Ordnance with that of 1796; but he must be aware that since that period an immense increase of business had been imposed upon the department. That was a ground, therefore, on which censure could not, with justice, be founded. The duty at the present time was increased,—it was trebled; and he would ask, could those who were at the head of the department prevent it from being so increased? The whole subject had been gone into with great detail by his right hon. friend (Sir H. Hardinge) in his evidence before the Finance Committee; and the expressed opinion of his right hon. friend was, that in reality a great saving had been effected. The hon. Member had compared the establishment of the Ordnance with that of the Navy; but he seemed to have forgotten that the former department, in many respects, had much to do on account of the Navy department; all which ought to be taken into consideration. The whole of the Colonial business, as far as garrisons and artillery were concerned in particular, had been thrown on the Ordnance department since the year 1823. The hon. Gentleman had alluded to the duties of the chief clerk in the office of the Surveyor-general. That individual had been in the service for fifty years; his exertions had been most meritorious; his salary was not more than commensurate to his labours; and on his retirement, his allowance would be reduced to 900*l.* With respect to the removal of the office from the Tower to Pall-mall, that subject had not been overlooked by the Board, and a calculation had been made of the expense that would be likely to follow on such a step. The result of this calculation was, a conviction that no saving would accrue from the measure. Without considerable buildings to the right and left of the present office in Pall-mall, the thing could not be accomplished at all. If such a proposal as this were to be introduced to the House, he should like to know whether the hon. Member would support the Estimate, and pronounce an eulogium on the principle. It was proved before the Finance Committee, that the expense of the buildings at present was about 1,600*l.* a-year; but if the suggestion of the hon. Gentleman were attended to, it would, he believed, be necessary to increase the expense very much. With respect to the reduction of the Master-general's salary, if the hon. Gentleman would make a motion on the subject, no doubt it would be properly met.

Mr. *Poulett Thomson* remarked, that in the Estimates there were four clerks at 550*l.* a year, and six clerks at 400*l.* a year in the Surveyor-general's department, in all forty-seven, and he could not conceive that there was a necessity for such a number of clerks, or for them to have such large salaries as at present.

Mr. *Lennard* said, he wished to know whether there was any estimate of the expense that would be incurred by removing the clerks to Pall-mall; for at present the question appeared to be one of expense only? The right hon. Gentleman, in his evidence before the Finance Committee, seemed to favour the supposition that the removal itself would be expedient. He was also of opinion, that the business might be done at a less expense.

Mr. *Maberly* said, there was no reason whatever—notwithstanding the assertions of hon. Members opposite, who seemed to think that these two offices possessed some repelling power—why they should be kept separate. A removal as to the Store-department had already taken place; then why not in this case also. It was in every respect improper, that two establishments, which related to the same department, and ought to be under one roof, were thus divided. Letters were continually sent to and fro because the two parts were separate. The Finance Committee, in looking at this question, had proceeded on principle; for what should they think of any other department—the Treasury, for instance—if one portion of it were carried on at the Tower and the other at Pall-mall? He, therefore, like the committee, looked upon the question as one of principle, which respected the mode of conducting public business, rather than of economy, though that was also a matter of great importance. What, then, was the reason why the establishment so hung to the Tower? Because the officers were afraid that they would have to give up their residences without remuneration; and the same feeling prevailed at Pall-mall. Would any one pretend to say that there was not ample room for all the clerks at Pall-mall if the building was properly disposed? But if a room forty feet square was given up for a waiting-room, no wonder sufficient room could not be found.

Sir *Henry Fane* said, he was unwilling to trouble the House, but he was obliged to do so by the observations of the hon. member for Dover, relative to the clerks in the Surveyor-general's office. Looking to the various duties which were to be performed, forty-seven clerks were not too much; and he could assure the House that all of them were occupied. It had been said, on a previous evening, that the only business of the Ordnance was to superintend the cutting of jackets and the contracts for pipe-clay: with respect to his own department, he begged to say that the duties were much more serious and important. The details of business connected with the barrack department were very numerous. He had to examine accounts of almost all business which could be named, and even of much which could not be named in that place. With respect to the enormous amount of salaries, all he could say was, that the gentleman to whom allusion had been made had been in the service for more than fifty years, and had always shewn himself a most meritorious officer.

Mr. *Hume* said, there were many general officers who had served equally long, and who did not receive a third of the pay; therefore either the one was over-rated, or the other under-rated. At the same time he was bound to say, that no department could be in better order; and as to the individual, he appeared to be as fit as possible; and if the union and consolidation which he had introduced had been adopted by the Board, he thought that the whole department would now have been in much better order. As regarded the barracks, two good clerks were sufficient to do the work, for all they had to do was to see that the barrack-masters did their duty; and they had no more to do with the stores than he had, further than to see that the returns were correct. He wished to know how many clerks there were at Pall-mall, and how many at the Tower? Then they should be able to judge whether the division of the officers or their union would be the most expensive. He likewise wished to know what was the calculation made as to the expenses of removal?

Sir *Henry Fane* answered, that in his department all the clerks were at the Tower. He could assure the Committee that it would be a convenience to every member of the Board to have all the clerk brought together; but the question of expense had been looked to. The offices at the Tower were admirably suited to the purposes required; the Secretary of the Board was the only officer that had a residence.

Mr. *Hume* would recommend then that all the gentlemen should be sent to the Tower. If the Tower could not be brought to Pall-mall, then Pall-mall must be sent to the Tower.

Mr. *Perceval* observed, that according to the calculation, there would be an expense of 1,560*l.* a year for compensation for dwellings, exclusive of 200*l.* a year to the Secretary, and of the loss to the Board for the rent of the house which he inhabited. The total expense would be 2,200*l.* besides the charge for removal. To this was to be added the expense for new buildings, for the rooms at Pall-mall were not sufficient to receive the clerks from the Tower.

Colonel *Sibthorp* said, it was his intention, not having understood that the votes on the salaries of several clerks had been passed, to have divided the House on almost every one of them. He thought, in the present state of things, and looking to the great and growing distress of the time, that these clerks were too well paid, when their remuneration was compared with that of the really hard-working classes of society. Therefore it was his wish to divide the House on these votes. There was no less than 44,138*l.* voted to clerks, certainly not to men the whole of whom did actual duty. Here was one clerk with 1,100*l.* a year, another with 1,000*l.* a year, whose duties were performed by deputy clerks. They drove about in their carriages, and indulged in every species of luxury, while the people were in a most deplorable state of distress. Here was 1,100*l.* a year voted to one clerk,—one would suppose a private clerk, for he was never heard of at all,—and he had also perhaps half-pay. When he contrasted his situation with that of an unfortunate wretch who was sent out to Sierra Leone on 90*l.* a year, or with that of a Lieutenant-colonel of fifty years' standing, who only received 200*l.*, he could not avoid reprobating so unjust and unfair a system. When the report was to be brought up, he should certainly, if the hon. member for Montrose did not, oppose its being received.

Sir *H. Hardinge* thought, that the salary of 1,100*l.* a year to Mr. Angell was by no means too much, considering the length and value of his services. He had been the cause of considerable saving to the public, by means of his vigilance and activity; and if he had been all these years in a mercantile house instead of the Ordnance, there could be no doubt that by this time he would have been a man of very large property. Since the war, 277 clerks had been reduced, and a saving effected to the country of 47,000*l.* a year.

Colonel *Sibthorp* had not intended to question the respectability or abilities of these gentlemen; but he thought that the state of the country called for reduction.

Colonel *Trench* said, he could bear testimony to the merits of those individuals. There never was a more admirable or efficient body of public servants. He contended also that the offices at the Tower and at Pall-mall could not be dispensed with.

Mr. *Lennard* wished to see the salaries of the principal officers reduced, and not that of the clerks, who did all the duty. He regretted that the office at Pall-mall was not yet abolished.

Sir *H. Hardinge* thought the discussion quite superfluous, as the vote for those offices was passed.

Mr. *Maberly* was of opinion that the subject was yet open to discussion. There was not sufficient business to employ both the offices at Pall-mall and at the Tower, and they ought to be consolidated. With very little trouble the house at Pall-mall might be made to contain all the Ordnance offices. The real reason why neither of these establishments was done away with was, that the gentlemen at the Tower would not go to the office at Pall-mall, and the gentlemen at Pall-mall would not go to the Tower. He hoped another year would not pass without one or other of them being compelled to change their residence. As to Mr. Angell he was quite ready to bear his testimony to the efficiency and value of that gentleman's services. A more intelligent and able officer did not serve his Majesty. He was ready to bear the same testimony also to the conduct of Mr. Stacey, the Clerk of the Stores, and he was anxious to see the marine store and barrack department placed under his management. There were other consolidations which he knew might, without much difficulty, be made, if that gentleman's recommendations were followed, by which a considerable saving would be effected. He could not conceive, for example, why the Marine barracks should not be placed under the same department as all the other barracks. He considered—and he supposed the gallant officer would not on that account call him illiberal—the civil department of the army to be much better paid than the military; and though he was ready and willing to admit the great merit of individuals in the former department, he thought many of them were too well paid, and that they were much too numerous. Many of them were, he thought, unnecessary and even useless. The consolidation of the two offices would make this more apparent, and would enable the Government to dispense with the services of several gentlemen: he must therefore repeat his wish that the recommendations of the Finance Committee should be attended to, and the offices consolidated.

Sir *G. Clerk* having been in the Ordnance, and having still the misfortune to hold office (though this might make him a suspected witness in the estimation of the hon. member for Cumberland), felt himself called on to give his opinion. He admitted, that if they had then to form the offices in question, they might be conveniently consolidated; but at present there were two buildings for the two offices, neither of which would be sufficient for both. It would not be possible to collect all the members of both these offices either at the Tower or at Pall-mall, without erecting additional buildings. If the office were to be removed to the Tower, the whole of that must be remodelled to provide convenient offices; and what would the hon. member for Aberdeen say, if the Ministers were to ask for a sum of 30 or 40,000*l.* to construct the necessary buildings? By such an alteration the country might save 400*l.* or 500*l.* a year at an expense of 30,000*l.*

Mr. *Hume* was willing to drop that subject, though he had heard no reason why the two offices should not be consolidated; but he should like to know if the sum of 14,000*l.*, charged for the management of the Ordnance at Dublin was never to be decreased? Was that to be a permanent charge?

Colonel *Peel* was as anxious as any man to reduce the salaries of officers, but he must hear some more convincing arguments than had been urged by the Gentlemen opposite, before he could vote with them. Sometimes they complained of the salaries of the inferior clerks being reduced too low, and now they say they are too high: when those hon. Gentlemen became consistent they might perhaps command his vote.

Mr. *Hume* was not aware of the inconsistency alluded to by the hon. member for Norwich, though he must admit that it would be very inconsistent in him ever to expect that hon. Member to vote with him. Passing by the hon. Member and his observations, however, he wished to know if 14,000*l.* per annum was to be paid for ever for the inspection and taking care of a few stores at Dublin.

Mr. *Perceval* could not hold out any hope of reduction in that particular. The salaries of the officers were fixed a few years ago; the office could not be dispensed with, the whole of the barracks and ordnance stores of Ireland being placed in charge of the office at Dublin. It had also a continued correspondence with the chief office in London. Unless the hon. Member were to sweep barracks and all the establishments for the army out of existence, he could not see how these various offices of inspection and account could be dispensed with.

Mr. *Hume* wished also to inquire, if the office of Inspector of the manufacture of gunpowder at Feversham was to be continued. He admitted that gunpowder must be had, but he doubted the utility of the means the Government employed to procure it. The inspector had a house at Feversham, the manufacture was at Waltham Abbey, the office of accounts was at Pall-mall, and the store was at the Tower. Were these the ingredients for manufacturing gunpowder?

Mr. *Perceval* could give the hon. Member a satisfactory answer on this point; the office was to be done away, and arrangements to carry that into effect were in progress.

The vote of 8,933*l.* to defray the expense of Salaries, &c. at Woolwich, was then agreed to.

The next question was, that a sum of 87,464*l.* be granted to his Majesty, to defray Salaries and other expenses of the several Civil Establishments of the Ordnance at home and abroad, to which

Mr. *Hume* objected, on account of it being extremely inconvenient to vote all the items included under that sum together.

Mr. *Perceval* said, that the items were all set forth in the Estimates. The expense for the stations at home and abroad were kept distinct, and the total of all the stations was the sum of 87,464*l.*, for which a vote was asked.

Mr. *Hume* was aware of that, but the arrangement was inconvenient, because some Members objected to one item and some to another, and either they were compelled to forego all opposition or to vote against the whole sum, which many did not like to do. In his opinion the votes for the home and for the foreign stations should be taken separately.

Mr. *Perceval* reminded the hon. Member that the present Estimates only differed from those of former years by the expense for the Irish barrack-masters having been brought under the head of Ordnance-stations. The home and foreign stations had always been placed together.

Sir *John Wrottesley* gave the hon. Gentleman credit for the best intentions, but he must call his attention to the inconvenience of the arrangement. The vote was for 87,464*l.*, and his hon. friend intended to take the sense of the House on the expense for the home station, for which the charge was 17,443*l.* Perhaps he only objected to a single item of that, amounting to 700*l.*, and if he moved that the vote be reduced by that sum, all those who thought as he did would vote for granting 86,000*l.* and something more, and would thus be precluded from objecting to many other items, which they were perhaps desirous of opposing.

Sir *Henry Hardinge* said, that the change had been made in the Estimates, he believed, at the suggestion of the hon. member for Callington, and in obedience to what was understood to be the wish of Gentlemen on the Opposition side of the House.

Mr. *Perceval* had no objection to divide the votes to suit the convenience of hon. Members.

Mr. *Maberly* was of opinion, that the Ordnance stations should be separated from the Barrack-masters' expenses.

Mr. *Hume* suggested that the hon. Member should move for a vote for each item as it was placed in the Estimate.

Mr. *Perceval*, instead of moving for 87,464*l.* would move, therefore, for 46,076*l.* the expense of the Ordnance stations at home, abroad, and in Ireland.

Mr. *Hume* thought, that the vote was open to all the objections which had already been made to the other, and he should move as an Amendment, to substitute for this the sum of 17,430*l.* for the expenses at home, leaving out the stations in Ireland, and those abroad.

On the Question being put on the Amendment,

Mr. *Lawley* said, that was probably the most convenient time for him to bring a subject under the notice of the Committee, on which he had previously presented a Petition from the town of Birmingham. He wished first to express his opinion, that the plan of manufacturing arms by the Government was an injudicious one. It was a sound principle of political writers that a Government should not undertake to manufacture for itself. It never could hope to inspire its servants who were paid by a salary, with that zeal and exertion which were dictated by individual interest; and, therefore, it was at all times better that it should buy what it wanted than attempt to make it. An example of the consequence of acting on the opposite principle had lately fallen under his notice: 10,000 musket stocks, of the manufacture of the Government, had lately been sold for 5½*d.* a piece, which could not have cost the Government less than 5*s.* or 6*s.* a piece. If individuals were to carry on business on such a principle, they would speedily be ruined. He was prepared, as he meant to oppose the vote for the establishment for manufacturing arms, with a statement of its cost and profit, which, though very imperfect, he would submit to the Committee:—The whole charge for the establishment was 9,849*l.*, and the work done at it was estimated at 11,240*l.*; making a profit, as was supposed, of 1,400*l.* But he was informed, by several respectable manufacturers, that they would have been happy to execute the same work for 8,000*l.* thus realizing not a profit, but sustaining a considerable loss. As to the establishment which it was his object to see reduced, he must say that he did think it an immense loss to the public, and when he should be in possession of those returns for which he intended to move, he pledged himself to the House to show that that loss was to an amount such as would make it the grossest dereliction of duty if the House permitted it to continue. There was no greater public abuse than the whole of that establishment, and he trusted that the Government, in accordance with the disposition it had recently manifested, would continue its plans and practices of retrenchment, and would put an end to that wasteful expense. The Commissioners who had been appointed to inquire into that and other subjects connected with the Ordnance Department, had most correctly represented the Government establishment for the manufacture of arms as leading to outgoings, such as placed it far below what it ought to be, and what it would be, were it in any other hands. He would ask what were the objects of Government in creating such an establishment as that at Enfield? One was to produce an increased supply to meet the increased demands; but in creating that establishment they shut themselves out from the benefits of competition, and from the abundance of capital and abundance of workmen which the employment of individual manufacturers would enable them to command. As to the fears of combination, he could not but regard them as perfectly visionary; for facts had shown, that no combination could live, if the contracting party thought proper to exert that power which always resided in him. It was equally unwarrantable to suppose that the supply would not always answer the demand—it had always risen with the demand. If the Government, by forming that establishment, wished to increase the supply, there were two modes in which they might have effected that object—one was by employing workmen already engaged in the trade of manufacturing arms, the other was by bringing into it persons from other trades. The latter mode they had adopted to some extent; but he must say, without that success, as respected the country, or that advantage to the workmen, which might have been anticipated. Many had been decoyed away from their previous employments, who afterwards found it necessary to enroll themselves in the army. Thus was the public service inefficiently performed, and the manufactures of London and Birmingham discouraged. He need scarcely inform the House that a system such as that led to expostulations on the part of the manufacturers, and they obtained from Government a pledge that every practicable encouragement should be afforded to the manufacturers of Birmingham—and what ensued thereupon? nothing more than a single order for 350 rifles. As a great boon, they solicited the Government to try if they could not make as good articles as those which the workmen in the public employment were capable of executing, and from that hour to the present they received no reply. There was a fact which he had now to mention, and which had excited no small alarm—it had been ascertained that his Majesty's Government had proposed to the East India Company to have their supply of arms at Enfield instead of at Birmingham; now that was not only a direct violation of the pledge previously given, but was altogether one of the most unwise and unjust proceedings that could be adopted. It was asked, what could the advocates of the Birmingham manufacturers require, when the Government had already so many hundred thousand stand of arms fully prepared? With such a supply on hand, how could it be expected, it was asked, that any further orders could be given? In reply to that, he begged to be permitted to observe, that if money were at all to be expended for such a purpose, he thought it might as well, if not better, be applied to sustain that vigour in our manufactures—he should rather say to preserve that basis for them—upon which they might rest during their term of adversity, and from which they might arise whenever circumstances became more propitious. He did request and beseech the House not to discourage the skill and industry of their native manufacturers, and on that subject he must be permitted to make an observation—to paraphrase what was said relative to quite a different matter. He believed that there was perfect truth in the assertion that the first, second, and third duty of a Member of Parliament was—economy, economy, economy. That was their first duty; but they had another duty, at however long an interval it might be placed, and that duty was, to support and encourage the trade and manufactures of the country, and so lay a foundation for the gratitude and confidence of the people; and he had not the slightest hesitation in asserting, that to abolish the establishment at Enfield would be the first step towards obtaining the approbation and giving support to the manufacturers of Birmingham. He concluded by moving, as a further Amendment, that instead of the sum of 17,432*l.* for the purposes stated in the original Motion, the sum voted should be 16,778*l.*

Upon the Question being put,

Mr. *Perceval* wished to explain, as far as he could, the principle upon which the establishment at Enfield was kept up. As must be well known to the House, it was originally founded when the supply of arms was entirely unequal to the demand. In the years 1779, 1794, and 1795, the supply of arms was most insufficient, and hence arose the necessity of Government forming an establishment for its own purposes. It was contended that the Government could not manufacture upon as cheap terms as the regular manufacturers. Now he would not discuss the general principle; but for the information of the Committee he would just mention a few facts—he would leave others to decide upon the philosophy of the matter. In the year 1812 the price of the musket—the barrel of the musket he always begged to be understood as speaking of—cost 13*s.* The effect of the Government establishment was, to reduce the price from that sum to 8*s.* 10*d.*, and thence to 7*s.* 2*d.* In 1,246,259 muskets a saving of 98,658*l.* was effected. This was a stubborn fact, the reconcilement of which with the theoretical dogmas of political economists, he left to the adepts in that branch of philosophy. It had been asked, why did not Ministers leave the supply to competition, which, it was added, would ensure cheapness as well as excellence? The answer was, that arms were a peculiar manufacture, the demand for which depended so much on contingencies that no regular outlay of capital could be expected on it. The manufacture of gun barrels was exclusively confined to Birmingham, and to the neighbourhood of that town. If, therefore, the Government were to follow the advice of the hon. Member, which seemed to be only the opinion of the Birmingham manufacturers, it would place itself entirely at their mercy, and would be exposed to all the risks of their combinations. As a further proof of the utility of the present system, he would mention the case of Sir William Congreve's gun-sights. When they came into use the price of each was 8*l.* 5*s.* 8*d.*, and by the exertions of the Government artificers to manufacture them the price was reduced to 3*l.* Making rifle barrels afforded another illustration of the same fact. That branch of business was esteemed a great secret confined to one or two manufacturers, and the consequence was, that the Government paid for each barrel 18*s.* After it undertook to manufacture them itself, the price was brought down to 8*s.* 6*d.* These were all facts, and he wished only to state facts. He must, therefore, press on the Committee the propriety of keeping up the establishment at Enfield, not only as securing the present supply at a cheap rate, but as ensuring a cheap supply whenever the demand should suddenly increase. He trusted that the Committee would be of his opinion, and resist the Amendment.

Mr. *Littleton* hoped the Committee would support the Amendment, and thereby express its reprobation of the erroneous, and unjustifiable, and extravagant policy pursued by the Government, with respect to the supply of an article which should be left to the free competition of skill and capital. He admitted the general merit of the Ordnance Department, but in this instance he thought it acted on improper principles. This was confirmed by an admission made before the Finance Committee, that during the war we had been obliged to bring arms from abroad. When the hon. member, the Secretary to the Ordnance, attempted to justify his policy by the fact that the price of arms had fallen since 1812, the date of the Government establishment at Enfield, he seemed to forget the far greater fall of prices which had taken place within the same period in all kinds of manufactures and articles of commerce. Had the supply of arms been, as it ought to be, left to competition, their price would be much lower, and the public be considerably a gainer. This would appear the more manifest if the price of commodities now, as compared with that in 1790, be considered. Bolt-locks, to take one manufacture in the iron trade for an example, which sold in 1790 for 2*s.* 6*d.*, were now sold wholesale for 1¼*d.*; a lock and key might be obtained for 1½*d.* or 1¼*d.*, and so with other articles. Then, as to supply, the fact that one manufacturer alone threw off a musket a minute during a war demand, rendered a formal refutation of the hon. Secretary for the Ordnance's argument on that score unnecessary. There was one point which the hon. member for Warwickshire, (Mr. Lawley) had referred to, which he knew created great alarm at Birmingham, he meant the proposed sale and demolition of the Proof-house, which was taken as a sign that the Government contemplated henceforward supplying all its wants by its own servants. If that were the case, he should think it had broken its contract with the people of Birmingham. He hoped the Committee would support the Amendment, and thus shew that it was opposed to the policy of Government being a manufacturer.

Mr. *Perceval* admitted the great general reduction of price mentioned by the hon. Member, but the fall in the price of gun-barrels was so coincident with the establishment of the Government manufacture, it taking place very shortly before 1812, that he could have no doubt that it ought to be attributed to that establishment. The Government reduced the prices of the contractors by proving to them that it could manufacture cheaper than they charged.

Mr. Alderman *Thompson* thought the hon. member for Warwickshire had made out a case which demanded the support of the Committee. He saw no reason why the Government should keep up its establishments at Enfield and Lewisham, to the injury of the good understanding between the Government and the manufacturers. The trade at Birmingham in this branch had been very dull since 1815, and when there was a little improvement in 1818, the Order of Council, prohibiting the exportation of arms, interposed and put a stop to it. He was of opinion that the Government could always buy cheaper than it could make, and therefore he should certainly vote for the Amendment.

Mr. *Maberly* said, that Government would always find it better to depend on public competition for what they wanted than to manufacture on their own account. This vote, therefore, concerned a great principle in the management of public affairs. He was fully persuaded that such establisments as those at Enfield and Lewisham, — if all they cost were laid before the public—would be found very expensive. He should like to see the real out goings of such establishments compared to the value of the work performed at them, and he believed, if such accounts were laid before the House, of all the articles manufactured by the Government, it would be found that they cost five, six, or even some of them twenty times as much as they could be bought for ready made. The Government establishments had their store-keepers, their chapels, their chaplains, their surgeons, their inspectors and sub-inspectors, all of whom had retiring allowances, and ought to be included in the cost of the manufacture. From these charges the private manufacturer was quite exempt, and to him, therefore, it seemed beyond all doubt a most unwise policy in the Government to be a manufacturer.

Mr. *Whitmore* entirely concurred in the opinion of his hon. friend. He was persuaded that the Government establishments did not promote but retard improvements. The way for the Government to proceed if it wished to convince the House of the utility of its establishments was, to produce the accounts of their cost, and of the value of their produce as suggested by his hon. friend who spoke last.

Sir *H. Hardinge* said, there were only four articles manufactured by the Government, and these chiefly with a view of putting down that competition which, during the war, had raised prices upon the Treasury. It had a manufactory of small-arms, by which it had reduced the price of that article very much. It manufactured gunpowder, and had saved by that, 300,000*l.* during the war. The Ordnance Department was also obliged to manufacture brass cannon for its own use, because that article was not made for general consumption. The Ordnance, in point of fact, did not interfere with the manufacturer. It might sell eight or ten thousand stand of arms every year, which had been partly used, but rather than do so it incurred a loss: the barrels of the muskets were shortened and repaired, and they were then transferred to the naval service. It would be impossible to send articles of that bulky description to Birmingham to be repaired, and for that purpose, if for no other, an establishment was necessary. He would recommend the hon. member for Warwickshire to seek a conference with the Master-general of the Ordnance, who would most probably be able to satisfy him that he had formed very erroneous opinions on this subject.

Sir *J. Wrottesley* said, that this plan of preventing combination would be ineffectual, as on a sudden emergency of war, the workmen would themselves combine against their employers in these Government factories. The observations made on the prices of articles, as compared with the prices in 1812, must be fallacious, because that price was altogether an artificial one. Nothing was better proved by experience than the fact that the Government could not manufacture as cheaply as it could buy. Besides, Government manufactures discouraged trade, and damped the ardour of enterprise in individuals. By the latest version which had been given of the utility of the manufactory at Enfield, it seemed to be kept up in order to shorten soldiers old muskets for the use of the Navy. Now this was, in his opinion, an idle recommendation of that establishment, for water-carriage cost so little that these muskets might be sent to Birmingham for a mere trifle. Prices there were so low, that the public would, he believed, be benefitted by the sending. At present, in that place one dozen curry-combs, thirteen to the dozen, might be bought for 1*s*. The mere circumstance of fuel being at Birmingham, when it must be brought several hundred miles to the Government manufactory, was decisive as to the advantages of Government, employing the private manufacturer living on the spot. He contended too upon principle, that it was wrong in the Government, which obtained its means from the people, to set about competing with its own subjects, beating down, because its own resources were unfailing, the prices which individuals ought to obtain. As to the utility of the Government having a proof-house in its own establishment, the proof-house at Birmingham was as complete as possible, and was conducted on the safest principles. He should support the Amendment of the hon. member for Warwickshire.

Mr. *Lawley* stated, that he already had had a conference with the Duke of Wellington, in company with a deputation from the gun-makers, but no benefit had resulted from it; and he was afraid that none would result from any appeal to the Government as long as it held to the opinion that it was able to manufacture cheaper than individuals.

Mr. *Perceval* did not contend that the Government could manufacture cheaper than individuals; but at a cheaper rate than they charged the Government. The establishments were useful, therefore, in keeping down the prices of the private manufacturers. As to sending muskets to be repaired at Birmingham, the expense of carriage would be more than the expense of cutting them down.

Mr. *Hume* did not support this Amendment out of any regard to a particular place; but on the broad principle that the Government ought to buy at the cheapest market. He did not object to these establishments that they were merely useless; but they entailed an endless expense for retiring allowances, and superannuations for clerks, and quartered an army of assistants and supernumeraries on the public.

Sir *Ronald Ferguson* was in favour of Government keeping the manufacture of arms under its own eye. He had seen, while in the field, quantities of arms made at Birmingham rejected as useless. The soldier too was obliged to keep his arms in order after he received them, and he had known a private put to the expense of 10*s*. or 12*s*. to keep a Birmingham musket in repair. It was necessary, therefore, for the Government to keep up its establishment at Enfield, to ensure the supply of a superior article as well as keep down the price.

Mr. *Attwood* thought it was more likely that the arms the gallant General had seen rejected had been manufactured at Enfield than at Birmingham. He should like to see the vouchers for the 98,000*l*., which the hon. Member said the Government had saved in the manufacture of muskets.

Mr. *Perceval*.—That was effected by reducing the price, and bringing about an alteration in the mode of making the contracts.

Mr. *Attwood*.—That saving was made by expending about half a million of capital, raised by taxes on the people, so that the people paid to enable the Government to compete with themselves, and drive down their proper rewards; they derived no benefit from the Government plan.

Sir *Ronald Ferguson* explained, that at the period he alluded to, muskets were not manufactured at Enfield, and those he spoke of had the Birmingham mark.

Mr. *Attwood* admitted, that at the breaking out of the war the manufacturers of Birmingham were not so expert as they afterwards became.

Mr. *Littleton* also observed, that since the period the hon. and gallant General alluded to, a proof-house had been established at Birmingham, and the whole manufacture was as well carried on as possible.

The Committee then divided, when the numbers were, for the Amendment 40; Against it 80;—Majority 40.

The vote for the sum of 17,432*l*. for the expense of Salaries, &c. of the Civil Establishments of the Ordnance on the Home station was then agreed to.

The next vote was, "That a sum, not exceeding 28,744*l*, be granted to his Majesty for defraying the Salaries of the Civil Establishments of the Ordnance in Ireland during 1830."

Mr. *Jephson* inquired whether the offices of Naval and Ordnance storekeepers in the neighbourhood of Cork might not be consolidated. There was one at Cove, and another at Ballyncollig, ten miles from Cork, and one, he thought, might be spared.

Mr. *Perceval* replied, that such a consolidation would be impossible, as the duties of the respective offices were essentially different. One belonged to the Naval department, and the other to the Ordnance.

Mr. *Hume* saw no reason why stores of

all kinds might not be kept by the same person, provided only the premises would permit. The Finance Committee had recommended the principle of consolidation. By the Returns it appeared that there were ninety-eight Ordnance stations; forty-six in Great Britain, seventeen in Ireland, and thirty-five abroad. The committee not having local knowledge of all these places, could not decide on the propriety of keeping up one in preference to another; but it recommended that the Government should endeavour to diminish the number of stations. He saw, from the Estimates, that there were three or four storekeepers kept in the same place, one looking after a few barrels of powder, and another watching over a few casks of beef, and both rejoicing at the folly of Government in keeping them there, at comfortable salaries, doing nothing. He should like to know what attention had been paid to the recommendation of the Finance Committee by the Ordnance Office, and how many stations had been diminished.

Sir *H. Hardinge* denied that the Finance Committee had come to any definitive resolution on the subject, though he knew that the Committee adopted consolidation as a principle, and recommended it generally. Both the Duke of Wellington and himself had explained before that Committee, that the charge of the Ordnance and the Naval Stores at the same station could not be placed under the same person. The Ordnance and the Barrack departments had been consolidated, but it would be impossible to have the Naval and Ordnance stores, at Cork for example, under the same management. The question had been discussed at great length in the Finance Committee; consolidation had been carried into effect as far as possible, and he saw no utility in renewing the discussion at that time.

Mr. *Maberly* admitted that the Finance Committee had not come to any resolution on the subject, but he reminded the gallant officer, that it recommended the reductions of stations generally. For his own part he saw no reason why the Ordnance and Naval stores might not be placed under the care of one person, and if the gallant Admiral would confer with the gallant General, if the Ordnance would give up its patronage in one place, and the Admiralty its patronage in another, he had no doubt a great many useless places might be done away, and a great saving effected.

Mr. *Robert Gordon* thought, in opposition to the gallant General, that the Committee of that House was the proper time and place to discuss the subject. There was a storekeeper at Cork, another at Cove, and a third at Ballyncollig, four miles from Cork, and he should like to know why the stores at these three places might not be taken charge of by the same person, even supposing that it would not be convenient to have them collected on the same spot.

Sir *Henry Hardinge* did not mean to imply that a Committee of Supply could not discuss the question, but to state, that as it had been discussed in the Finance Committee, and as there were great doubts how far the Ordnance Department could take charge of stores for the Navy, he did not suppose the Committee of Supply could discuss it with advantage. As to the three storekeepers mentioned by the right hon. Gentleman, there were large buildings at Ballyncollig, which required the care of a responsible person. Cork was an important station, whence troops were embarked for the West Indies, and being four miles distant from Ballyncollig, required a storekeeper and other officers. Again, Cove was eight miles from Cork, and these stores were kept for the men-of-war which frequented that port. If Ballyncollig could be moved to Cork, and Cork carried down to Cove, one storekeeper might serve, but while there were stores and buildings at the three places to be taken care of, he did not see how that could be done by one person. He would only further observe, that by the evidence given before the Finance Committee, it appeared that the number of storekeepers in 1828 only exceeded by three the number in 1792.

Mr. *Hume* observed, that the Finance Committee being informed that there were ninety-eight stations came to this resolution, "That the number of stations appears great, but this Committee is not competent to give an opinion how far any of them can be reduced; they therefore recommend the Ordnance Department to institute an inquiry, in order to see what reductions can be made." He wished to know, whether or not that recommendation had been attended to.

Mr. *Perceval* said, two deputy storekeepers had been reduced, and the work of reduction was going on.

Mr. *Hume* would next remind the Ordnance Department, that Enfield and Waltham Abbey were close to each other, and yet there were separate storekeepers, and deputy storekeepers at each. The one at Waltham Abbey had a salary of 625*l.*, his deputy had 304*l.* a-year. The storekeeper at Enfield had 350*l.* a-year, his deputy had 200*l.* These storekeepers, he understood, lived within a few yards of each other. In his opinion, one person might supply the place of all these four.

Mr. *Perceval* explained, that the individual who was storekeeper at Waltham Abbey was, for many years, at Ballyncollig, and had a right to some situation. He was a gentleman of great merit, and yet he would not undertake by himself to be wholly responsible for the works at Waltham Abbey. His services were valuable, but if he retired he would be entitled to the whole of his salary. The storekeeper of Enfield certainly lived at Waltham Abbey, but he did not see any difference which that made, when his services were necessary, as he could assure the hon. Member they were, to that establishment.

Mr. *Hume* repeated his statement, that reductions ought to be made, but as he would, above all things, avoid granting superannuations, he would not press for them.

After some controversy relative to the distance of the station of Ballyncollig from Cork, the vote was agreed to.

A sum, not exceeding 41,388*l.* was granted to defray the Salaries of the Barrack-masters and Serjeants at home, abroad, and in Ireland.

A sum, not exceeding 5,390*l.*, was also granted to defray the Salaries of Master-gunners, in Great Britain, Guernsey, Jersey, and in Ireland.

The Report brought up, and ordered to be received on Monday.

BEER DUTY.] Mr. *R. Gordon* wished to know, from the right hon. the Chancellor of the Exchequer, whether his Majesty's Government had come to any determination relative to a point which had excited much interest among persons engaged in the brewing trade, and upon which several memorials had been presented to the Government,—namely, the advantage which would arise to the publicans if they were permitted to brew Beer, from the present period until the 1st of October, without paying duty, such Beer to remain under bond until the 1st of October.

The *Chancellor of the Exchequer* was of opinion, that considerable inconvenience would result to those engaged in the trade of brewing Beer, if all the beer henceforth to be brewed were to be subject to a duty, because private persons could brew beer not subject to duty, and bring it into the market after the 1st of October. He had, therefore, tried to discover some means of remedying this inconvenience, and he believed that, by allowing beer to be brewed free of duty, provided it were kept apart, and not brought out for consumption until after the duty on beer was removed, that inconvenience would be removed. Measures were under consideration for carrying such a plan into effect.

ARMS BILL (IRELAND).] On the Motion by Lord Francis L. Gower, that this Bill be read a second time,

Mr. *Robert Gordon* said, he wished to call the attention of the House to the provisions of the Bill. He was aware that it was similar to an Act passed last year, and which had just expired, but the present Bill was to be in force seven years, and some of its provisions though they might be consented to for one year when the country was disturbed, became intolerable through such a period as seven years. By the Bill, arms must be registered, and a license taken out to possess them. No man could have more than two pounds of gunpowder in his house without an express license—a clause that made him suppose Ireland was in a state of rebellion, or at least that the Government regarded the inhabitants with great suspicion. The Act was passed last Session without an observation, but if it were suffered to do so this year, it would reflect great discredit on the Gentlemen connected with Ireland.

Mr. *Spring Rice* claimed for himself the merit, being one of those Gentlemen, of not having been inattentive to the Bill; but he saw no good reason for opposing the second reading of it. There were some of its regulations which he did not approve of, but he thought that they should be discussed in the Committee.

Mr. *Jephson* observed, that there was a clause in the bill imposing a penalty of 500*l.* for exposing a Gun to sale.

Bill read a second time.

HOUSE OF LORDS,

Monday, April 5.

MINUTES.] Returns presented. By the Earl of SHAFTESBURY, the Sixth Report of the Appeal Committee. An Account of all Sums paid for Freight, Demurrage, &c. on Ships employed by the East India Company in the China-Trade from 1822 to 1828.

Returns ordered. On the Motion of the Earl of **Rosebery**, of the Sums received on Account of the Fee-fund, Scotland, and how appropriated. On the Motion of the Earl of **Shaftesbury**, the Twentieth Report of the Commissioners concerning Charities. On the Motion of the Earl of **Rosslyn**, Account of the Quantity of Coal, Culm, and Cinders exported from the different parts of England and Wales in 1829, distinguishing the Quantities sent to foreign Countries, and carried Coastwise:—An Account of the Imports of the same Articles, with the Amount of Duty paid:—An Account of the selling Prices of different Coals in the Port of London during the year 1829.

Petitions Presented. By the Earl of **Derby**, from the Dissenting Congregation Meeting at Canon-street, Preston, against Suttees. By the Duke of **Gordon**, from the Corporation of Glasgow, for a Free-trade to China:—By Viscount **Melville**, from the Merchants' Company of Edinburgh:—By the Earl of **Harrowby**, from the Manufacturers of Hanley and Shelton, Staffordshire:—And by the Earl of **Carlisle**, from the Inhabitants of the Clothing Districts of Batley, Idle, Bolton, and Eccleshill, all to the same effect.—All these Petitions referred to the Committee sitting to inquire into the affairs of India. By the **Archbishop of York**, from the Inhabitants of York, praying for a revision of the Penal Code—

[These petitioners, the right rev. Prelate said, expressed their gratitude for what had been done, but they humbly suggested that death should not be inflicted as a punishment for crimes against property.]

By the Earl of **Rosslyn**, from the Coal-owners on the river Dee, praying for a repeal of the Duty on Coals:—And by Viscount **Goderich**, from Siptor, praying for the abolition of the Truck System of paying Wages.

Spirits.] Viscount *Goderich* said, in presenting a Petition from a Mr. Williams, a Magistrate of Lee, in Kent, complaining of the consumption of ardent Spirits, and praying for its discouragement, and stating that the abolition of the Beer-duty would have no effect in that way;—that he did not agree with the worthy magistrate on this subject, but he had no objection to present the petition. In his opinion, throwing open the trade in Beer would tend very much to diminish the consumption of ardent Spirits.

East India Company's Monopoly.] Lord *King* presented a Petition from Taunton, Somersetshire, praying that the trade to China might be thrown open, and the East India Company's Monopoly abolished. The petition, his Lordship said, was signed by a great number of most respectable persons, and they thought that it was high time for them and others, who wished the opening the trade, to bestir themselves, as they began to suspect that there was a leaning on the part of Ministers towards the renewal of the Charter. It was like the case of an expiration of a beneficial lease, where the stewards suffered themselves to be cajoled by the lessees. The petitioners thought it was high time to press on Government the necessity of attending to their interests, and in this he agreed with them.

HOUSE OF COMMONS,

Monday, April 5.

Minutes.] A Bill was brought in by Mr. **Dawson** to repeal the Duties on Leather. The East Retford Witnesses' Bill, on the Motion of Mr. **Dawson**, was read a first time. The Marriages Validity Bill, on the Motion of Mr. **Courtenay**, was also read a first time.

Returns laid on the Table. Of the number of Public Meetings held in London by the Commissioners of Bankrupts. Of Imports and Exports between 1798 and 1830. Of the number of Ships that have passed the Sound. Of Cotton Goods exported, and of Printed Cotton which paid Duty from 1814 to 1830. The Report of the Minutes of Evidence taken before the East India Committee up to April 5th.

Returns ordered. On the Motion of Mr. **Hart Davis**, of all Probates of Wills and Letters of Administration issued in Wales. On the Motion of Mr. **Hume**, the Amount of Cess levied in each Royal Burgh of Scotland:—The Dates of the Promotion and Entry into the Navy of Robert Crosbie, James Hope, and Hugh Goold, stating also the length of their services afloat:—Of Persons receiving Compensation Allowances for the loss of Office until otherwise provided for. On the Motion of Mr. **Hobhouse**—Of all Exchequer Writs issued by the Solicitor of Stamps against Persons dealing in Drugs, from June 21st, 1829; of the further proceedings in those Writs; of the Sums paid as Fines in consequence of the Prosecutions under them, and of the manner in which it was appropriated; as well of Prosecutions which have been dropped. On the Motion of Sir **James Graham**—An Address to his Majesty for the English Consuls to obtain and transmit home information of the Quantity of the precious Metals obtained in South America from 1790 to 1810, and from 1810 to the present time. On the Motion of Lord **Tullamore**, several Communications between the Chief Secretary for Ireland, the Irish Loan Commissioners, and the Directors of the Grand Canal Company, relative to an advance of Money for extending their Navigation to Kilbeggan:—Of the Sums advanced out of the Consolidated Fund on the recommendation of the Irish Loan Commissioners, with the nature of the Securities taken for the payment of the Principal and Interest of the Loan. On the Motion of Mr. **Bell**, the number of Ships and Vessels belonging to the British Empire, exclusive of the Colonies, specifying and distinguishing the number under 50, 100, 200, 300, 400, 500, 800, 1200, and above 1200 tons respectively, and of the Number of Steam Vessels. On the Motion of Mr. **Spence**, various Accounts relative to the Money paid into Chancery. On the Motion of Sir M. W. **Ridley**, of the Duty received, and Drawback paid on Glass, from January 1828 to 1830, distinguishing the sorts of Glass and amount of Duty paid in Ireland;—And on the Motion of Sir **Michael Shaw Stewart**, a Table of the Fees of Conveyancing and General Law Business adopted by the Writers to the Signet (Scotland).

Petitions presented. For a Free-trade to India—By Mr. C. W. **Wynne**, from Woodhouse, Yorkshire:—By Mr. **Hume**, from the Magistrates and Town Council of Arbroath:—By Mr. **Mundy**, from the Inhabitants of Derby and the Inhabitants of Swanwick:—By Lord **Lowther**, from Armley:—By Mr. **Archibald Campbell**, from the Shipowners of Dundee, and from the Chamber of Commerce of Glasgow:—By Mr. **Blair**, from the Incorporated Trades of Kilmarnock. For the Abolition of the Cornlaws, by Mr. **Hume**, from the Inhabitants of Kidderminster. For the holding of the Assizes for the West Riding of the County of York at Wakefield, from the Inhabitants of Shepley and of Farnley Tyas, by Mr. Wm. **Duncombe**. Against throwing open the retail Beer Trade, from the Publicans of Newark, by Mr. **Willoughby**:—By Mr. **Stanley**, from the Inhabitants of Middleton:—By Mr. **Bransby Cooper**, from the Innkeepers of Gloucester, For the Abolition of Tithes, by Mr. Carew, from Tacumshane, and other Places in the County of Wexford. For protection against the Importation of Foreign Lead, by Mr. Mundy, from the Owners of Lead Mines in the County of Derby. For a Repeal of the Duties on Coals carried Coastwise, by Mr. Archibald Campbell, from the Coal-owners on the River Dee. For a Repeal of the Vestry Act (Ireland), by Lord Killeen, from the Inhabitants of Arbroath. Praying for Relief, from the Ship-owners of North Shields, Blyth, and Hartley, by Mr. Liddel; And from South Shields, by Mr. Bell. For the extension of the Two-penny Post, by Mr. Alexander Dawson, from John Wheel of the Edgware-road. Praying for an Allowance for Duty paid on Beer in hand when the Duty ceases, by Mr. Stanley, from the Brewers of Manchester and Salford. For the mitigation of the severity of the Criminal Code, by Mr. C. F. Palmer, from Maidenhead:—By Mr. Hobhouse, from Mr. Alan Newland:—And by Mr. Stanley, from the Inhabitants of Warrington.

Vice-Treasurer of Ireland—New Writs.] Mr. *Planta* moved for a New Writ for a Member to serve in Parliament for the County of Kerry, in the place of the right hon. Maurice Fitzgerald, who has accepted the office of Vice-Treasurer of Ireland.

Mr. *Hume* said, he was very sorry to hear of the appointment. The office was one of those which he had expected would have been abolished. He expected that any opportunity which occurred to abolish it would have been eagerly embraced, as it might have been dispensed with ever since the Union. It was to him most extraordinary that Government should have filled up the vacancy when there was a Resolution on the Table of the House, that every part of the expenditure which could be saved ought to be saved. There might have been some delicacy towards removing the hon. Member who held the office; but when he was removed by another appointment he did expect the office would have been done away. He had heard the report of the appointment, but he could not believe it. People could not expect that one Member of Parliament should be sent to the colonies from a useless office, and that another should supply his place at home. He was sorry to hear the Motion, but he could not, of course, oppose it.

The Speaker was ordered to issue a New Writ accordingly for the county of Kerry.

Mr. *Planta* next moved for a New Writ to return a Burgess to sit in Parliament for Corfe Castle, in the room of G. Bankes, Esq., who had accepted the office of one of the Commissioners of his Majesty's Treasury.—Ordered.

A New Writ was also ordered to be issued for East Looe, in the room of Henry Hope, Esq., who had accepted the office of Groom of the Bed-chamber.

Lord Ellenborough's Divorce.] Mr. *Hume* said, that he was sorry not to see the hon. Member in his place who had charge of Lord Ellenborough's Divorce Bill, as he should ask him to re-commit the Bill, in order to amend the evidence. At present the evidence was in such a defective state, that he was sure hon. Members would think the Bill ought not to pass. When the hon. Member who had charge of the Bill was present he would again mention the subject.

Distress (Ireland).] Mr. *Moore* presented a Petition from the Operatives of Dublin, complaining of Distress, and soliciting inquiry by the Committee appointed to inquire into the propriety of introducing Poor-laws into Ireland. The petitioners stated, that the distress in Ireland, particularly in Dublin, was very great, so great indeed as to be unexampled, except when famine was hanging over the land. The manufacturers there had generally suffered from the same vicissitudes as the manufacturers of England. There was a sympathetic union between the two. In 1824, for example, the English manufacturer enjoyed temporary prosperity, and the Dublin manufacturer was also prosperous. Between the condition of the two countries there was, however, a striking difference, for what was only depression to the English manufacturer, was destitution to the Irish manufacturer.

Administration of Justice in Scotland.] Mr. *Cutlar Fergusson*, in rising to present a Petition from a Stone-mason of Paisley, of the name of Kintry, complaining of the Administration of Justice in Scotland, expressed his regret that the Lord Advocate, or the right hon. Secretary of State for the Home Department was not present, as the petition contained some representations of very great importance, and well worthy of the attention of the officers of the Crown. The petitioner complained of the great expense he had been put to by being obliged to sue a man for debt in a Sheriffs' Court, which was for such a sum that he could not go into an inferior court. The petitioner complained of the extraordinary length of the written pleadings, and of the great delay which had been caused. It was above a year since the cause was begun, and it was not yet terminated. The proceedings to recover a debt of 41*l.* 12*s.* extended to eighty-seven folio pages. He had been obliged to employ a procurator, because he lived at a distance. All these expenses took place under the improved system of pleading which had been introduced. If he recovered his debt, he would even then be a considerable sum out of pocket. The hon. Member recommended adding a jury to the Sheriffs' Court, expressing an opinion, that when the summing-up of the sheriff was in accordance with the verdict of the Jury, the decision might be final. Such an institution would be of great importance to Scotland, where 22,000 causes were tried yearly in the Sheriffs' Court. He hoped the Lord Advocate would attend to the prayer of the petition. Being on his legs, the hon. Member said, he hoped he might be allowed to say a word or two that concerned himself personally. It related to a misapprehension which had gone abroad as to what he had said on the first night of the Debates as to the Distress of the Country. He had been represented as stating, that in Scotland there was no distress! Now he had never said anything of the kind, but directly the contrary. He stated that deep and great distress prevailed in Scotland. His constituents believed that he had stated the reverse, and one of them had written to him to request he would inform himself on the subject. Had he stated that there was no distress, he should have stated what was inconsistent with his own knowledge and his own feelings. He had certainly said, on a former occasion, that the labourers of Scotland were not so distressed as those of England, he had at the same time said, that the farmers and owners of landed property were in very great distress. He was sorry to say, that since that time, the labourers, he believed, had also begun to suffer, and at present there was some danger that they would be thrown out of employment. The hon. Member concluded by apologising to the House for having troubled them with a matter which was of a personal nature.

Mr. *Hume* supported the prayer of the petition, and recommended enlarging the sum to 30*l.* for which a claim might be brought in the local courts.

Petition read and laid on the Table.

Forgery.] Mr. *Hart Davis* presented a Petition from the inhabitants of Bristol, praying for the abolition of the punishment of death for Forgery. The petitioners stated, that only three prosecutions for the crime of forgery, with the exception of prosecutions by the Bank of England, had taken place in Bristol during twelve years, and from that they concluded that the apprehension of taking away a fellow creature's life prevented the injured parties from prosecuting. In many points mentioned in the petition he concurred, but he was doubtful if property would be fully secured if the punishment of death were to be altogether abolished. He had heard with great satisfaction the statement made the other evening by the right hon. the Secretary of State, and he was well content to leave the matter in his hands.

Ambassadors' Expenses—Civil Contingencies.] Mr. *Hume*, in rising to move for certain returns necessary to a proper explanation of several items charged in the Civil Contingencies, observed, that as these would shortly come under the consideration of the House, it was important that the House should be put in possession of all the information which might be necessary to form a proper judgment of the different items charged under the head of Civil Contingencies. Some of them appeared to him to demand explanation, as, for example, 1,000*l.* charged for the extraordinary expenses of the Ambassador at Paris; what these extraordinary expenses might be for, he could not say, but it would be as well in Members to recollect, that the whole cost of the embassy of the United States at Paris did not exceed the amount of the extraordinary expenses of our ambassador: the several other items which equally required explanation therefore he should move for. The hon. Member concluded by moving "for an account in detail of the expenditure of 1,149*l.* by Sir C. Bagot, Ambassador to the King of the Netherlands, and charged in the Civil Contingencies for 1829, with the amount of the Salaries and Allowances to all the persons of his Embassy; an account in detail of the Expenditure of 1,287*l.* charged in the Civil Contingencies for extraordinary expenses incurred by Lord Burghersh, the Envoy Extraordinary to the Court of Tuscany, with the money expended for the support of his Embassy; an account in detail of the Expenditure of 671*l.* 15*s.* extraordinary expense of E. C. Disbrowe, Esq. the Envoy at the Court of Stutgard, with the cost of his Embassy; an account in detail of the Expenditure of 2,116*l.* by Lord Stuart de Rothesay, Ambassador at Paris, charged in the Civil Contingencies, with the salaries and allowances of all persons belonging to the Embassy: and an account in detail of the Expenditure of 163*l.* charged in the

Civil Contingencies for the extraordinary expenses of H. J. Mandeville, Esq. Secretary of Embassy at Lisbon, with the amount of his salary, and on what duty he has been employed since his return."

Sir *James Graham* took that opportunity of observing, that he had, for the same object, moved for a return of the total expense of his Majesty's Consuls at the various ports of the United States of America. No such return had yet been produced; and as it was extremely important that the House should possess it before they came to a determination on the Civil Contingencies, he hoped it would be prepared and laid on the Table immediately after the holidays.

Mr. *Lennard* observed, that the Government of the Netherlands had reduced the rank of its Ambassador at this Court. He wished to know if it was intended, on the part of this country, to reduce the rank of their Minister?

The *Chancellor of the Exchequer* said, that some reduction was, he believed, in the contemplation of the noble Lord at the head of the Foreign Department (Lord Aberdeen), but he really was not able to say to what extent it would be carried.—Returns Ordered.

On the Motion of Mr. Hume, a further Return was ordered of "an account in detail of the manner in which 1,553*l.*, charged in the Civil Contingencies, had been expended by the Commissioners for the Valuation of Houses in the City of Dublin; and also of the sum of 8,899*l.* expended for the payment of Fees on Bills for Improving Turnpike Roads, and charged in the Civil Contingencies; and also of the items of an Expenditure of 1,169*l.* for the Robes of Knights of various Orders; of 1,278*l.* for the Colours of the Foot Guards; and of 2,798*l.* for the Public Offices in Whitehall and Westminster." The hon. Member said, that all these were contained in the Civil Contingencies, and he wished them explained.

BOUNTIES ON THE FISHERIES.] Colonel *Wilson,* in presenting a Petition from Staiths and Runswick, in the North Riding of the County of York, praying for the continuance of the Bounties on taking and curing Fish, which stated, that if the Bounties were withdrawn, ruin would be the consequence to numerous families, took occasion to observe, that he was sorry to see Ministers leave their places and walk away, when the wants of the people were alluded to by their Representatives. He supposed that they had no wish to hear tales of distress, but he could assure them, whether they were absent or present, he meant, whenever he had an opportunity, to state the grievances of the people. Indeed he should be unworthy of a seat in that House if he did not state boldly and fearlessly what he knew of the distresses of the people. He had taken some pains to make himself acquainted with the condition of the fishermen, and he was sure that doing away with the Bounty would be ruin to them. The consequence of it would be, that the torrent of distress would be swelled by 100,000 additional souls. Those who advise such a measure must have been ill-informed, or they must not have had the fear of God before their eyes, or the welfare of their country at heart. It was well known that in all fishery districts the people swarmed like bees, but were as poor as rats, aided, however, by the Bounty, they managed by their industry to pick up a living out of the sea, and while they supported themselves they fed the poor for many miles within their own neighbourhood. They required the assistance, too, of the sail-maker, rope-maker, and boat-builder, all of whom would suffer with the fishermen. Moreover, ruining the fishery was breaking up the best nursery for our seamen which we had. Government, he thought, was not aware that these Bounties were compensated by the Excise and Custom Duties levied on articles consumed directly by the fishermen, or by those who prepared their instruments. The whole amount of the Bounty was about 48,000*l.*, and for such a paltry sum as that could the Government inflict ruin on so many people? Such a system was being penny wise and pound foolish, and shewed that the subject had never been properly considered by the Government. He understood that Ireland was not yet to be deprived of this advantage, and he hoped therefore that it would be continued to England and Scotland a little time longer; another year at least he hoped would be granted. He had no wish unnecessarily to oppose the Ministers, but if they were determined not to listen to him, he was determined, night after night, to press the question on their attention; and if they did not attend to it, they should have his opposition, with all the force he could gather.

Mr. *W. Duncombe* presented a similar Petition from the Robin Hood's Bay fishermen, and intimated a wish to know what were the intentions of his Majesty's Government with respect to the Bounties. He hoped, if it were correct that the Bounty was to be continued for Ireland, that it would also be continued for England and Scotland.

Mr. *Herries* said, it was due to the numerous and industrious class connected with the Fisheries to state, that the subject of continuing the Bounties on some part of the Fishery, and for a limited period, was now under the consideration of his Majesty's Government; but it was also necessary to state, that those Bounties would not on any account be continued in any case beyond that limited period. Parliament had determined that the Bounties should cease at a period now near at hand; and he confessed that although the subject of continuing some of the Bounties was under consideration, it would require a very strong case to induce the Government to alter its determination that these Bounties should wholly cease. The continuance of all of them was, indeed, quite out of the question. The Bounties on the curing of the fish might, perhaps, be continued for a short time, both on account of the peculiar nature of that employment, and its aiding the formation of a nursery for seamen; but beyond a short time, he thought it but fair to state, the Government had no disposition to continue any of the Bounties.

Petitions to be printed.

SCOTCH AND IRISH POOR.] Mr. *Littleton* presented a Petition from the Justices of Peace near Lichfield, praying for a Revision of the Laws with respect to Vagrants belonging to Ireland, Scotland, Guernsey, and Jersey, resident in England. The number of Irish and Scotch vagrants who visited Staffordshire and Shropshire was very great, and they gave a great deal of trouble, particularly the Scotch, who seemed to have an extraordinary desire to revisit the places where they had once been harboured. The parish authorities, at considerable expense, sometimes sent some back to Scotland, but they in general returned, causing additional expense. There were instances of the same individuals having been eight times passed to the northern side of the Tweed within a very short time. With this disposition to prey on their neighbours, there was no other mode of dealing than by a strong legislative measure.

Mr. *Cutlar Fergusson* said, the counties the hon. Member spoke of were fortunate in possessing a means of passing away vagrants though at a considerable expense and trouble, but that was a power which the counties of Scotland did not possess, and the consequence was, that they were overrun with vagrants from Ireland and England, whom they would gladly get rid of.

Sir *James Graham* wished to take that opportunity of asking a noble Lord what was his intention respecting the subject to which he had called the attention of the House some time ago; namely, the great influx of Scotch and Irish paupers.

Lord *Stanley*, in answer, stated, that shortly after the recess he would submit to the House a proposition with respect to the best mode of passing Scotch and Irish paupers to their own countries.

Petition laid on the Table.

FORGERY.] Mr. *Lennard* said, he had been requested by his hon. friend, the member for Essex, to present a Petition from the Magistrates, Clergy, Gentry, and other inhabitants of Braintree and Bocking, in Essex, praying for the mitigation of the punishment of Forgery. The numerous petitions which had been presented to that House on the subject showed the general feeling which existed in the country respecting it; and there could be no doubt that that number would have been much greater had not the public been aware that the right hon. Secretary of State for the Home Department participated in their feelings with respect to the expediency of mitigating the punishment of forgery. He (Mr. Lennard) felt great satisfaction at what the right hon. Gentleman had already stated it to be his intention to do, as far as it went; but he was sure that the public wished for a more extensive measure, and were anxious that the punishment of death for the crime of forgery should be abolished altogether. It had been said, and among others by the hon. member for Bristol, that the monied interest would not be sufficiently protected if the punishment of death for forgery were abolished entirely. He believed, on the contrary, not only that it would be protected, but that it would be protected more efficiently, if the punishment for forgery were not such as to render it repugnant to the feelings of those upon whom forgeries were committed, to prosecute the offenders. He had himself given notice of a motion for the abolition of the punishment of death in all cases of forgery. He had great satisfaction, however, in surrendering the motion into the hands of his hon. and learned friend, the member for

Knaresborough, by whom it would be taken up in a manner that would be better calculated to ensure its success.

Sir *J. Mackintosh* said, that he should with the greatest pleasure resign his undertaking into the hands of the right hon. the Secretary of State, and would therefore wait until the further progress of the right hon. Secretary's Bill, to ascertain how far the objects which they had in view were the same. If he found that the Bill did not go so far as he wished, he should then find it his duty to bring forward the motion of which he had given notice.

The Petition read and to be printed.

OPENING FROM WATERLOO-PLACE INTO THE PARK.] Mr. *Hobhouse* rose to present a Petition from certain inhabitants of Westminster, in reference to a subject which had been lately more than once alluded to in this House,—he meant the propriety of making an opening from Waterloo-place into St. James's-park. This Petition was extremely worthy the attention of the House. It was most respectably signed, as any hon. Member might perceive by looking at the signatures attached to it, amongst which were the names of some hon. Members of this House. The petitioners stated, that they did not believe that there had been any specific promise given that the opening in question would be made; but they added, that the general impression certainly had been that such an opening would be effected. They further stated, that if they thought the accommodation in question would at all encroach upon the royal privacy, or give the public admission to parts of the Park from which they were at present excluded, they would not seek for it. The accommodation, however, which they sought, would only afford to the public a more easy means of access to those parts of the Park already open to them, and the petitioners expressed their reliance that if a proper representation of the matter were made to his Majesty, he would not deny to the public this means of access to the privileges which they already enjoyed. The petitioners truly stated that this opening would be a great improvement, not only in the way of a public accommodation, but also in point of appearance; for that while the wall remained there, that part of Pall-mall opposite to it was sunk down, and only a part of the Park could be seen from the Terrace; but, as they suggested, if this opening were made, it might be so contrived as to combine an useful object with a noble architectural design, and in that way form a beautiful termination to a street which already justly commanded the public admiration. He would recommend this Petition to the notice of his Majesty's Government: he trusted it would meet with attention in the proper quarter. He would take the opportunity to give notice, that after the holidays, unless something should occur in the mean time, he would move an address to the Crown on the subject.

The Petition, which was from certain inhabitants of Westminster, was then read, and ordered to be printed.

FOREST OF DEAN.] Lord Lowther gave notice, that on the 29th of April he would move for leave to bring in a Bill to ascertain the boundaries of the Forest of Dean.

BARON DE BODE.] The Hon. *E. G. S. Stanley* presented a Petition from Clement Joseph P. Pen, Baron de Bode, complaining of the losses which he had suffered in consequence of the conduct of the Commissioners for settling the claims of British subjects on the French Government, and praying for relief. If on that occasion he abstained from entering into the details of the case, it was not from a diminished sense which he entertained of the great hardship of the Baron de Bode's case, but because the subject had been several times under the consideration of the House. His own impression of the equity of the Baron's claim was as strong as ever; and it was the impression of several of his hon. friends, who were members of the learned profession, that the claim was as strong in law as he believed it to be in equity. He would, however, confine himself on the present occasion to one point of peculiar hardship in the case; and it was a point to which he wished especially to call the attention of the right hon. Gentleman opposite. There was no doubt that the Baron de Bode's family had property in France which was confiscated, and there was no doubt that he was a natural-born British subject. Those were facts which were admitted on all hands; but it was asserted that at the time the property in question was confiscated, it belonged, not to him, but to his father. That was denied by the Baron; but it was clear, even if it had been so, that the Baron had not lost his indisputable and undisputed reversionary right in the property. Whatever effect, therefore, that objection might have on the amount of the claim, it could have none whatever on the principle of it. It was well known that the first commission which was appointed to settle the claims of British subjects on the French government was a mixed commission. Difficulties interfering in the way of the satisfactory discharge of their functions, a second commission was appointed, consisting entirely of British commissioners, who, on condition of receiving sixty per cent from France on the claims, undertook to settle with the claimants, and to save the French government from being further troubled on the subject. By that commission an award had been made against the Baron de Bode. On what was that award founded? It was impossible to found it on any assertion that he had not been registered; for if he had not been registered, the commissioners would have had no right to go into the consideration of his claim at all. The ground on which the commissioners made their award was, that although the Baron was undoubtedly a British subject, and although his property in France had undoubtedly been confiscated, yet that his property had not been confiscated as a British subject, and therefore, that he had no claim to indemnity. This, if true, would have been a good answer to the claim, or to any other claim of a similar nature, if it had been made by the first, or mixed commission. But the British commission had contracted to satisfy the claims of all whose claims were registered. Now Baron de Bode's claim was registered. The British Commissioners had taken sixty per cent on the claims from France on the understanding that they would satisfy the claims of all whose claims were registered. They refused however, to satisfy the Baron de Bode's claim; and by the contract which they had made with the French government, they precluded him from receiving relief from France. He could not apply to the French government now, for it would turn round upon him at once and say—"We have paid so much to the English Government, who contracted to satisfy all these claims, your's amongst the rest, and you have, therefore, no right now to make a claim against us." They had been told two years ago, that the Treasury were about taking steps respecting the distribution of the surplus that remained, for the satisfaction of the registered claims. On the discussion on that occasion, the hon. and learned member for Plympton said, that if he could find that this claim had been paid for amongst others by the French government, that would make all the difference possible. Now, he held in his hand the official answer of the French government to the application of the Baron de Bode, in which he was told that his claim had amongst others been settled for. This claim was amongst the registered claims which the British Government at the time contracted with the French government to decide and discharge; and if it had not been paid for, that was the fault of the commissioners, and not the fault of the applicant. Between the two Governments, therefore, the Baron was completely sacrificed. To him this appeared a case of gross and extreme hardship; more particularly when it was considered that there was in the hands of the commissioners who made the contract with the French government a large surplus, arising purely out of that branch of the claimants, No. 7, among which the Petitioner's name appeared. He repeated, that it was quite clear that the Petitioner's name was registered, or the British commissioners could not have gone into the claim. Since the time when he had mentioned the subject before in the House, he had seen the accounts of the commissioners. He had intended to move that copies of them should be laid on the Table of the House, but he was told that they were very voluminous, that such a Motion would be attended with great expense, and that his purpose would be equally answered by inspection. He had seen them therefore. Many of them were on loose sheets of paper. Some were with heads, others without; some were signed, others were not; some were written with ink, others were written in pencil. There were three distinct lists. After describing the first two lists, the hon. Gentleman proceeded to say, that the Baron de Bode's name was in the third list, which was entitled, "Names omitted to be sent in to the French Commissioners." In the same list as that in which the Baron's name appeared were the names of other claimants; the very next to him being the Marquis Wellesley, who had been satisfied and paid. Under these circumstances, he thought the Petitioner justly entitled to have the award which had been made against him reviewed; and he trusted that the right hon. Gentleman would not refuse to review it. He must confess that he felt some surprise at several of the claims which were on the list, and which had been satisfied. One was that of the Irish College at Paris, for a large sum. Notwithstanding, however, the arrangement that had previously been made with respect to Ecclesiastical claims, the Irish College at Paris obtained no less a sum than 106,304*l.* Their claim might be a good one; but he contended that the Baron de Bode's claim was equally good. Among the claims not presented in time, was a claim of 1,009,312*l.* from the English East India Company ["Francs," observed some hon. Member]. No—1,009,312*l.* sterling. Having abstained from preferring that claim for fourteen years, it appeared to him very extraordinary that it should be preferred at the particular moment at which it was preferred. He requested to know from the right hon. Gentleman opposite, what steps had been taken, and what steps it was intended to take with respect to these claims; and if it were intended to take into consideration the extrême hardship of the circumstances in which the Baron de Bode had been placed. He begged leave to present the Petition.

The *Chancellor of the Exchequer* said, he would not enter into any discussion of the merits of the case; for as it appeared that there was a variety of opinions with respect to the facts, some being asserted by one party and denied by the other, he could not state anything positively without further reference to the circumstances. He certainly, however, did agree with the hon. Gentleman in the view which he took of the matter. He would not enter into the question if the circumstances of this particular case were hard or not; he only knew that where any general rule had been established, an individual might suffer a hardship for which it was not possible to devise a remedy. The great difficulty was as to the distribution of the remaining surplus in the hands of the Commissioners. For it appeared that appeals might be made to the Privy Council against the decisions to which the Commissioners had already arrived. If those appeals were successful, the surplus in the hands of the Commissioners might be demanded by the persons by whom those appeals were preferred. With regard to the claim of the Irish College at Paris, it was not the Government, but the Privy Council, that had decided that the College had a right to appeal. The claim made by the East India Company was for the maintenance of prisoners of war in India during the late war. He agreed that as the Company had not urged its claim in time, it was not entitled to a share in the remaining surplus at present; and (as we understood the right hon. Gentleman) he had given the Company a distinct and positive answer to that effect. But the same principle applied to all other claimants who had not preferred their claims within the limited time. Nothing could be declared respecting those claims until it was known what appeals were lodged against the decisions of the Commissioners, and till it was ascertained that funds remained, out of which the Crown might distribute something to persons whose claims were unsatisfied.

Dr. *Phillimore* said, he could not avoid expressing his regret that the right honourable Gentleman had given such a vague and unsatisfactory answer to the plain and straight-forward question, addressed to him by his hon. friend. The question was, whether it was the intention of the King's Government to take into their favourable consideration the case of the Baron de Bode as having an equitable and legal demand on this fund.

In reply to that, the Chancellor of the Exchequer says, that there are so many claims on this fund, that it will not be more than sufficient to meet them all. There might undoubtedly be many such claims on the funds generally; but the right hon. Gentleman must be aware that the fund was divided into classes, and that there were specific appropriations of funds to each class, and that it was not competent to the Government to apply the funds of one class in satisfaction of the claims of another, so long as any under that particular head remained unadjusted. The Baron de Bode belonged to the class No. 7, in the list laid on the Table of the House. No demands were stated against No. 7, except the Ecclesiastical claims—or, as they have been termed, the Douay claims; that it was to be observed that these had already been decided, for one of these cases had been selected with an understanding that it was to govern the others; and, after full argument, was rejected by the Privy Council, and the time for the interposition of any appeal had long elapsed. For what purpose then he would ask, were the Douay claims inserted in this list as unadjusted claims? unless it were that the Government intended to allow them a re-hearing—and if they did, on what ground could they refuse a re-hearing to the Baron de Bode? The surplus which remains undisposed of, to the amount of nearly 300,000*l.*, belongs exclusively to class No. 7. This, therefore, according to all the terms of the original agreement and convention, should be applied to the liquidation of the claims coming under this head;

which should be investigated and settled before this class is opened to admission to the claimants from the other classes. Why should there not be a re-hearing of this case? it was one of unparaleled hardship. This House had a right to look into it—first, because the good faith of the country was involved in the transaction; secondly, because Parliament became, in fact, a trustee for the equitable adjustment of these claims, and is responsible for such an adjustment. The hon. and learned Member proceeded to state that the case of the Baron de Bode was simply this:—He was a British-born subject, whose property suffered spoliation during the French Revolution—a question whether he was to be considered as a British subject or a French subject—but in either case he was entitled to the restitution of his property: his mother was English, his father French: but his name was registered on the list of the British subjects whose claims were to be satisfied by the money paid to the British Government under an arrangement entered into between the representatives of the two Governments; and on the British Government receiving a fixed sum in lieu of the claims of British subjects on the French Government, it received a *pro ratâ* proportion for the claims of the Baron de Bode; thus circumstanced, when the Baron de Bode applied to the British Government for compensation, he was told "the British commissioners have decided that you are entitled to compensation, not as an English but as a French subject, and you must go to the French government for relief"—whereas, when he goes to France, he is told "your name is put on the list of British subjects by agreement with the British Government, and we cannot give you any part of the sum set aside for the indemnity of French subjects." Surely, then, the credit and character of the country are deeply interested in the thorough investigation and just arrangement of this subject, and Parliament is peculiarly called upon to interfere, because it passed an Act guaranteeing, as it were, the equitable disposal of these funds.

Mr. *Bernal* would refer the House to another case, that of Mr. Newland's claim for interest, which ought to be at five instead of three per cent. This person's claim was as sound as any upon the Boyd and Luxemburg Lists. A public body, the India Company, had put forth a claim which had never been heard of until the discussion of the 300,000*l.* He conceived that the Company had no claim whatever founded on the Law of Nations. The important subject deserved the attention of the House. Neither in England nor in France did the commissioners stand well in reputation. The English Government too was suffering by the conduct of those commissioners, and neither in France nor in any other country was it considered to have acted fairly and honestly by all the claimants. The French Government said to the Baron de Bode, we have paid 300,000*l.* to England on this account, and you have no right to address your claims to us—you ought to go to the British Government, which is a trustee for the due application of these sums. The Treasury ought to proceed to appoint a new Board of Commissioners, which would classify the claims and settle them. An Act of Parliament ought to be passed, and if it turned out to be necessary, two or three small Boards of Commissioners ought to be appointed. If there were only a will on the part of Government, it would soon find a way to carry its will into execution. The case had been before Parliament two or three years, and it ought to be settled.

The *Chancellor of the Exchequer* said, he was by no means insensible to the opinion of foreign governments, but he must nevertheless say, that it would be extremely hazardous to pay over what was called the surplus, to persons whose claims might be advocated by Members of that House. A number of the petitioners had a right to appeal to the Privy Council, and if the commissioners distributed their funds before the final term, what would the House say to him, if he had to come down to Parliament and ask for a grant to pay the balances?

Mr. *Robert Grant* thought the case one of great hardship, and the subject was of such importance, that it required a more formal inquiry. On that occasion he only wished to guard himself against the supposition that he acquiesced in the arguments of his right hon. friend the Chancellor of the Exchequer.

Sir *James Graham* said, that the House had travelled from the question before it, which was not that of the claimants in general, but simply the case of the Baron de Bode, which was but too well known to the House, for the merits of it had been stated with great ability by the hon. members for Staffordshire and Preston. The case was one of very peculiar hardship. It was never to be lost sight of, that it belonged to class No. 7, out of which a sum of 250,000*l.* had been most shamefully misappropriated. The money had been given by France to the British Government to pay the claims, and it had been paid by the British Government towards building a palace. If Ministers would not re-open the case, he hoped his hon. friend the Member for Preston would bring forward a Motion upon the subject immediately after the recess.

The Petition was read as follows.

"To the Honourable the Commons of Great Britain and Ireland, in Parliament assembled:

"The humble Petition of Clement Joseph Philip Pen, Baron de Bode, Baron of the Holy Roman Empire, a Knight of several Orders, and a natural-born British subject

"Sheweth — That Parliament, through the operation of the Act of the 59th of Geo. 3rd., c. 31, having virtually become a Trustee for the British Claimants on the French Government, your Petitioner begs leave humbly to represent that he was a Claimant duly registered by the English Commissioners, with the concurrence of the French Commissioners; that his name is registered in the second book, No. 1130. That your Petitioner can prove by documents that it is solely in consequence of the neglect of the English Commissioners that his name was not registered in the first book, No. 587. And your Petitioner humbly submits that the fact of his name having so been only registered in the second book, No. 1130, by the omission of the Commissioners, instead of No. 587, in the first book, cannot be alleged as a reason against the validity of your Petitioner's claim, because that circumstance rests with the Commissioners, and not with him, and because other Claimants, registered in the same book, under the same head as your Petitioner, have been paid.

"That your Petitioner's name and the amount of his claim stands in the list of regularly registered Claimants in the official Returns made by the Commissioners to your Honourable House; that it stands as such in the official Reports of the Commissioners in *The London Gazette*.

"That your Petitioner can prove that the Commissioners have acknowledged, in official documents, that they had kept a large sum apart to meet your Petitioner's claim, which could not have been done had not your Petitioner been a regular registered Claimant. That your Petitioner's case could not at all have been gone into, and have been considered, before the 26th of July, 1826, when the Commissioners closed their labours, as far as concerned the registered Claimants, had not your Petitioner been a regular registered Claimant.

"That your Petitioner can prove, and always was prepared to prove, if the opportunity had been afforded him, that the property for which he claims indemnity was confiscated from him, and not from his father; that the cession made to him by your Petitioner's father was legal, and in conformity with the then existing Laws of Alsace; and that, had even that circumstance not taken place, he would equally be entitled to the indemnity he claims, in consequence of his indisputable and indisputed reversionary right in the property. That the French Government not having disputed that question, the British Commissioners had no right to throw impediments in the way on that account.

"That the Commissioners made their Award of Rejection in absence of the most essential evidence, knowing at the time that it was forthcoming, having been apprised by his agent that every thing they had required from him to substantiate his claim would be obtained, and that without the expected evidence it would be impossible for them to come to a just and equitable adjustment. That the Award of Rejection was principally founded on a passage pretended to be in a private deed, but which passage did not exist in that or in any other deed. That there could have existed no valid reason for the Commissioners not having waited for the arrival of his additional evidence before they made their Award of Rejection against your Petitioner, the Commission having remained open nearly four years and a half after this Award was made.

"That your Petitioner was deterred from availing himself of the advantage arising from the introduction of additional evidence in consequence of a threatening letter from the Commissioners, in which they state that they understood that your Petitioner intended to support his case on the appeal with his additional evidence, and therefore, informed him, that the producing of the new additional evidence before the Lords of the Council would not only be fruitless, but most probably would occasion the immediate dismissal of the appeal.

"That a rehearing was refused by his Majesty's Privy Council to your Petitioner, in consequence, as their Lordships stated, of the limited power granted them by the Act of the 59th Geo. 3rd. c. 31.

"That your Petitioner begs humbly to submit, that under all those circumstances it cannot be maintained that his case has been regularly gone through.

"That your Petitioner can prove that though the Commissioners would not wait for the arrival of the most important evidence announced to them before they signed their Award of Rejection against him, yet that they have to others, even after awards of rejection had been signified to claimants, and published in *The London Gazette*, given those claimants fresh time to procure new additional evidence, and have, after the production of such new evidence, reconsidered their award. That in some cases, after several years had elapsed after the award of rejection has been made and published, such claims had been reconsidered and paid. That your Petitioner feels himself very harshly treated by such preference having been given to other Claimants.

"That your Petitioner is debarred, by the Convention of April the 25th, 1818, from seeking any redress from the French Government. That your Petitioner having applied in 1826 to the French Government, was referred to that special clause in said Convention, in which it is stated that no farther demand is ever to be made on France by the individuals who were, in conformity to the Convention of 1815, registered as British Claimants, and whose claims had been discharged on the part of France by the funds created in conformity to the Convention of 1815 and 1818, and placed for that purpose at the disposal of the British Government, adding, that France could not be called upon to pay the same debt twice, and that your Petitioner must seek his remedy against the British Government.

"That your Petitioner was possessed of large landed property and mines, which were illegally confiscated and sold by the Revolutionary Government of France; that indemnity for such loss was admitted to be due to your Petitioner, and that it would be a case of unparalleled hardship if, notwithstanding such admission, and the recognition of his losses by two great and powerful Governments, your Petitioner should be deprived of his property without remedy or hope of recovery.

"That your Petitioner courts the most minute, strict, and public investigation of his case.

"Your Petitioner, therefore, most humbly prays that your Honourable House will be pleased to take his unhappy case into your early consideration, and to afford him such relief as, in your wisdom, may seem meet.

"And your Petitioner will ever pray, &c."

The Hon. *E. G. S. Stanley*, in moving that the Petition be printed, asked the hon. Gentleman whether it was not the fact that the Baron de Bode's being put on the list of claims under the British Government had barred his seeking redress from the French Government, which, under other circumstances, he would have been entitled to demand? When he had brought forward this case two years ago, he had founded his motion upon terms not calculated to secure success, for he had criminated the Commissioners. Although he had also moved for a Select Committee, which was not the way best calculated to conciliate the opposite side of the House, yet the case had made so strong an impression, that he had been defeated by a majority of only thirty-seven. This sufficiently showed what the real feelings were upon the subject. It was a case of great injustice, and he trusted that the Treasury would yield to its merits, and to what they knew to be the real feelings of the House.

The *Solicitor-general* would not allow, that because the Baron de Bode's case had been registered, the claim must be allowed. This only made it a fair subject for consideration. The Commissioners were of opinion that the claim of the Baron ought to be settled by the French Government, the decision turning on the fact that the property had not been confiscated on account of the Baron being an English subject, but because it was the property of a French subject, who had belonged to the unsuccessful party in a civil contest. The Commissioners thought they had no authority to settle his claim, and therefore they rejected it.

The Hon. *E. G. S. Stanley* explained, that the Baron's having been put upon the list by the British Government barred his claim upon the Government of France.

The Petition to be printed.

Economy in the Packet Service.] Mr. *Pendarvis* presented a Petition from Cirencester, complaining of Distress, and praying for a Repeal of the Malt-tax. The hon. Member said, he would take that opportunity of calling the attention of the Members of the Government to the saving which might be effected in the Packet-service, with advantage to the country. He was induced to notice this in consequence of a letter addressed to him in a provincial paper, wherein the difference of expense was stated at 41,000*l.* He would place the letter in the hands of the Chancellor of the Exchequer. He could not help observing, in the vessels employed in that service, the ten-gun brigs, which were not calculated for scudding, and were generally considered dangerous vessels, that two or three of them have been lost with their whole crews. He did not find fault with the packets being under the Admiralty, but if the statement he had seen was correct, he thought it would be more to the advantage of the country to employ hired packets, commanded by Lieutenants of the Navy, than the more expensive and dangerous vessels, ten-gun brigs. The difference of expense, amounting on the whole to 41,000*l.*, arose in this way. It would be remembered, that soon after the war, the Packet-service was transferred from the Post-office to the Admiralty, and then it was, that ten-gun brigs were substituted for hired packets. The thirty-three hired packets before that period cost, at 1,977*l.* 10*s.* each, 65,257*l.* 10*s.* per year, while the expense of the present class of vessels, exclusive of the first cost of the brigs, (8,000*l.* each) but including the expense of a guardship, was 106,975*l.* making an increase, by the present plan, of upwards of 41,000*l.* This was a subject that he thought well deserving of the attention of a Government desirous to husband the resources of the country.

The Jews.] Mr. *R. Grant* said, that in introducing the Motion of which he had already given notice, to the attention of the House, he should have preferred avoiding all particular observations, reserving to himself the right of making whatever remarks he pleased during the discussion of the question at some future stage; and this course he would have pursued, because he could not have anticipated that any difficulties would be thrown in the way of the Bill at that period, or any opposition offered to its further progress; but having understood that one or two hon. Members had announced their intention, as it undoubtedly was their right, to contest the measure in this its first stage, and other hon. Members having declared their design to suspend their opinions until they should have heard the reasons advanced on either side, he thought he had no option, but must, however reluctantly, trouble the House with an exposition of those points upon which he founded the belief, and indulged the hope, that his proposal would be entertained. He begged, however, to preface his observations upon the subject with an explanation of the nature of his connection with the cause he advocated. It was not only unsought and unforeseen, but altogether fortuitous. Understanding that some such question was in contemplation, he had been led to turn his attention to it —not without prejudices, which, however, calm reflection had completely dissipated—and thus convinced of the justice and policy of the measure, he did not consider himself at liberty to decline the honourable office of conducting it, although it came from strange hands. He stated this, that his humble opinions might not lose their due weight, however small that might be, being, as they were, entirely the result of conviction. The question before the House he proposed to treat after the following manner: he would first state the law in regard to that class of British subjects on whose behalf he appeared: he would next declare the grounds upon which these persons complained of that state of the law, and why they considered themselves entitled to relief: then he would proceed to touch upon the means of affording that relief: and lastly, he would attempt to answer some objections by which he had been informed the measure was to be encountered. The division of his address would, then, be fourfold. The state of the law—the grounds of complaint against it —the remedy—and the objections to that remedy; and having touched upon these four topics, he should have put the House into full possession of all the considerations, views, and objects, which seemed to him necessary to guide its decision. Now, as to the state of the law, it would not be necessary, though it certainly would be curious, to enter into an historical deduction of it from the olden time. He would accordingly content himself with adverting to one or two facts. It was a matter notorious to all who had examined the question, that members of the Jewish communion were, at an early period of our history, domiciled in these realms. After the Conquest, there were, during the first three reigns, frequent persecutions of that unfortunate race, without any just causes of complaint against them; and indeed, for the period of a hundred and fifty years that followed, it was difficult to say whether they suffered more from the mad malignant fury of the populace, who were their avowed enemies, or from the cool rapacious tyranny of the sovereigns, who professed to be their protectors. The excesses committed against them by the people were urged on by the most incredible reports; such as their plotting against the State—conspiring for the purpose of setting fire to the metropolis—crucifying Christian children, and so forth. And the fury of the people being excited and exasperated by these incredible reports, vented itself in excesses only less horrible than those crimes which were so falsely imputed to them. It was true, they were protected by the kings; but what was the nature of that protection? It was the same protection that these princes afforded the wild beasts in the royal forests. They were secured from general invasion; but it was only that they might be more effectually preyed on by their royal masters. At these periods, laws of the most odious nature (or royal edicts, which had then the effect of laws) were passed, with a view of extracting from the Jews, under the various titles of taxes, imposts, duties, and gifts, that wealth which these persons had acquired by means of their superior intelligence, their more extended connection with foreign parts, and their active and industrious habits. And these laws were enforced under circumstances of the most terrible and revolting cruelty, and by acts which fixed an indelible blot upon, and even left a stain on human nature—he would not detain or disgust the House by entering into a recital of them—he would content himself with quoting a passage from Matthew Paris. Although the language was figurative, it was yet so picturesque, that he preferred giving it untranslated. It referred to the conduct of one of our sovereigns, and declared, "*Non solum excoriendo, sed eviscerando extorsit.*" In the reign of Henry 3rd certain ordinances were passed, denying those of the Jewish communion the right of holding or transferring land, and keeping them in all respects as serfs and villeins of the Crown, and likewise restricting their religious worship; for they were commanded to conduct their worship in so low a voice as not to be overheard by the neighbouring Christians. Next, in the reign of Edward 1st, was passed the statute *de Judaismo.* This conferred upon the Jews certain privileges, which, however, were more than counterbalanced by depriving them of the practice of usury, which, in those times, meant the same thing as the taking of interest. In the 18th year of the reign of Edward 1st, by virtue of a royal edict, the Jews, to the number of 15,000, were expelled the kingdom; and this inhuman law was carried into effect, with every accompaniment of cruelty and scorn—with the confiscation of all their valuable property—with the infliction of the most galling personal suffering, and in several cases with the actual privation of life. It was well, though it was at the same time melancholy, to reflect that these dark and sanguinary stains were inflicted upon the brightest pages of English history, and those on which an Englishman was wont to dwell with greatest pleasure—the stirring days of the chivalrous Richard 1st, and those of the wise and enterprising Edward. But great as were the horrors perpetrated in these realms, they were more than equalled by the acts of contemporary sovereigns. They had already suffered in France under the iron rule of Philip Augustus; an ample counterpart for this was to be found in Germany; and then the storm rolled on towards Spain and Portugal, gathering force as it proceeded. So that from the first kingdom 150,000 Jews were driven by Ferdinand and Isabella, and the most shocking cruelties were unreluctantly perpetrated against the miserable fugitives and their fellow-religionists by Emanuel, the otherwise enlightened and liberal monarch of Portugal. One hundred and fifty years elapsed after the Jews had been expelled from England before they again entered this kingdom. Having in vain negociated for their return with Cromwell, they were admitted by connivance during the reigns of the succeeding sovereigns. Under Charles 2nd and James 2nd they received letters of denization, which, although pressed, these monarchs refused to violate. Under William 3rd, however, the Alien-duty was imposed upon them, and in Queen Anne's time an Act was passed in the true spirit of the Anti-catholic code, compelling the Jewish parent to make provision for his child who should have become a Christian. In George 1st's reign an Act had been passed, to which, in the present instance, it was not necessary to allude. This allowed the naturalization of foreign Jews, and freed them from the Alien-duties; but here the question was not about foreign Jews, but about British-born subjects. He mentioned this to show there was no relation between the measure now proposed and that carried in the last century, which, however, he regretted to say, had, by the miserable pusillanimity of the Ministry, been repealed a few months after it was carried. No Act, he believed, had since been passed with the direct purpose of affecting the Jews. The Oath of Allegiance, passed in the reign of Elizabeth, contained nothing in its form or substance which was adverse to the feelings of these persons; but as it was required that it should be sworn to upon the Evangelists, it could not be taken by a Jew. Again, the Oath of Abjuration, which was intended to guard the kingdom against the return of the Stuarts, had nothing in it which they could not conscientiously take; but, unfortunately, at the conclusion of it, there was a formula which was to them an insuperable barrier; it was "upon the faith of a Christian." Next came the Sacramental Test, imposed by the Corporation and Test Acts, which excluded them, as, previously to the Session before last it did Protestant Dissenters, from various rights and privileges. Well, the House was pleased to remove this restriction, but it was replaced by a test not to be applied subsequently, as the former was, but previously: and, worst of all, the Acts of Indemnity were at an end. Passing those Acts annually, relieved the Jews as well as the Dissenters, from the consequences of not having taken the oaths. The new Act compelled a man to swear "upon the faith of a Christian." Thus the three hinges of exclusion (if he might use the word) were these:—The necessity of taking the Oath of Allegiance upon the Evangelists—the formula at the end of the Oath of Abjuration—and the new Test, "on the faith of a Christian." Now there was nothing in the body of these tests that they would not adopt and subscribe; and he submitted to the House that the restrictions imposed by them on the Jews were fortuitous, and did not arise from any desire of legislating against them. The form of the first oath was made out before the re-admission of the Jews into this kingdom; the next Oath was framed when they were beneath political notice; and the Oath was made, not to supply a test for those who were not Christians, but to bind those who were. Then, as to the new restriction, it was suggested, not by that, but by the other House, and that House would support him in the assertion that it was less a deliberate act of legislation than a compromise on the part of the Commons to avoid the risk of losing an important benefit. All that excluded Jews from the ordinary privileges of British subjects were those formula he had stated. He would now state the general nature of these disabilities, as given in a clever pamphlet. They could not hold any office civil or military; they could not be schoolmasters or ushers; they could not be serjeants at law, barristers, solicitors, pleaders, conveyancers, attorneys, or clerks; they could not be Members of Parliament, nor could they vote for return of Members, if any body chose to enforce the Oath; and, finally, they were excluded from all corporation offices. Some doubts, too, had been started if the statute *de Judaismo* was not still in force, excluding them from the right of holding or transferring lands, and leaving their religious worship without protection. These were certainly debateable grounds; but even so, nobody could doubt the right of the House to confirm that which was doubtful, and, consequently, he had been induced to mention these in addition to their notorious grievances. He might also remark—and a memorable instance of the truth of this assertion was afforded in the discussion of a Bill carried last Session—that capital disabilities, imposed by the law of the country, always inflicted a hundred-fold growth of evil in the shape of other disabilities, forming a sort of after-crop of oppression through the agency of union and local regulations. It was quite true that this did not universally prevail throughout the country. In Exeter, Norwich, and other parts of the kingdom, Jews might engage in all trades, and enjoy the common privileges of citizens; but he regretted to state that in the great metropolis of the commercial world, they were subjected to restrictions of the most onerous nature. They could not obtain the freedom of the city. They could not exercise a retail trade—regulations, which, to the great mass of the members of the communion, were the most galling and the most oppressive. The Jews, in short, were nearly on the same footing as the Roman Catholics were last year; but the difference was in favour of the previous situation of the Roman Catholics, and against the Jews. Such, then, being the principles on which he claimed the attention of the House, and the state of the law to the Jews, he should proceed to state the grounds upon which he called for the repeal of these laws. He had first to state that the number of the Jews in the Metropolis amounted to about 20,000. Accounts differed much respecting the number of them in the empire, but they might be estimated at from 30 to 40,000. This calculation would embrace all the United Kingdom. He, in the next place, begged the House to observe, that as a sect the Jews were known by the whole world to be the most ancient. Their religious and political principles were upon record—their habits were recognised as peaceable and industrious; and as subjects, they were proved by the experience of ages to be less stained than any other by the crimes of treason to the Monarch or the State. Such were the persons who thus suffered, and who now claimed justice and mercy at their hands. They lived usefully and peacefully under the Constitution; but all it had of grace, of favour, of privilege, or protection, was denied to them, while they had to groan under all that remained in it of what was illiberal and oppressive. He wished to observe too, that the effect of Catholic Emancipation had been, to aggravate the evils under which they suffered. He could mention one case in which it had been peculiarly oppressive, in which a young man, prepared to be called to the bar, was disqualified by the effects of that very Act of Toleration which had conferred such inestimable blessings upon others. Now, when the peculiar pressure of disabling laws on one class of the community was the result of the removal of disabilities from another, the severity and unfairness of the infliction was quite clear; and having said this, he felt he had exhausted all that could be said upon the subject. The Jews affirmed that, by paying taxes, they contributed to the support of the State, and that by their wealth they added to its opulence; and in return, they called upon the House for that which hitherto the legislature had denied them—an admission to the rights and privileges of the British Constitution. These being the nature and extent of the disabilities under which these persons laboured, and the grounds on which they asked for relief, he came next to speak of the means of relief, and he would say shortly, that as the Catholic Code afforded a perfect precedent of the disabilities common to the Roman Catholics and the Jews, in the years before last, so did the removal of those disabilities, as regarded the former, furnish a glorious precedent of the mode in which relief might be extended to the latter. The House might put them upon the same footing with the Roman Catholics since the passing of the Act. And for this special reason, that since Catholic Emancipation was likely to induce a judicial decision, they should give the Jews the benefit of that judicial decision, which would, in all probability previously take place in the case of the Roman Catholics. The Emancipatory Act pronounced by the country would, he anticipated, be followed, as in the case of Catholic Emancipation, by the removal of all corporation restrictions, even in the Metropolis. And here he could not avoid remarking that it was a strange thing that the City of London, great and wealthy as it was, should withhold that right of citizenship from the Jews which was conceded by Rome—by Pagan and Christian Rome,—in its most high and palmy state. But he certainly did hail it as an auspicious event that, notwithstanding the hostility displayed upon all occasions by the City of London to these persons—its anxiety to exclude them from all Corporation offices —to impose upon them the alien duties, and to prevent their naturalization in the country—that yet he had great reason to believe he should that night have the cordial support of the four Members for this great Metropolis. He had now stated generally to the House the nature of the measure he proposed for the relief of those persons. He would next address himself to the objections raised against it; and, in doing so, he must implore the indulgence of the House, when he said, that not a single objection should be brought forward by him, excepting such as he had either heard in that House, or understood, in private conversation were to be advanced in opposition to the measure. This he thought it necessary to say, lest on the one side he might be suspected of betraying the cause he professed to advocate, by conjuring up new and formidable obstacles in its way; or, on the other hand, of evoking mere phantoms of argument and opposition, that he might reap the vain honour of having laid them with a trifling exertion of his power. Having premised this, he would proceed to observe, that the principal objections were of a nature scarcely fit for popular discussion. They touched upon considerations so high, and so sacred, that he was embarrassed; but he could not altogether pass them by in silence, lest he might be presumed to admit the correctness of the arguments founded on them, though he could not debate upon them with the freedom admitted in other topics. The objections were three-fold; and there was also a sort of preliminary objection which contended against altering the law which had resulted from the wisdom of our ancestors; saying that, surely we should not hastily make any innovation on a state of things thus time-honoured, and thence insidiously wishing to deduce that it should not be rendered susceptible of any change whatsoever. His hon. friend in his observation upon this subject, had wished the House to abandon the principle of the Legislation of the two last years, but it was rather to be hoped that it would follow up that principle to its proper extent, and place the Jews on such a footing as would enable them freely to enjoy their political and civil rights. There were some persons who thought that the Jews ought to be admitted to the enjoyment of all civil and political rights, with some qualifications, one of which was, that they were not to be admitted within the walls of the British Parliament. These propositions of partial or more extended admission were advocated by those who stated and brought them forward, on the grounds of the established law of the country, and the wisdom of our forefathers. But whether they appealed to the one or the other for examples of the principle of mixed admission and exclusion, merely on account of religious differences, he denied that any such precedent was to be found. He denied that there was any instance of any sect of Christian separatists (except the Catholics might be so considered) who had been admitted to the free exercise of all the common rights of subjects, and yet excluded from seats in Parliament, and from the enjoyment of civil privileges. In all the laws which had been framed on these subjects our forefathers had carefully avoided mixture of civil disabilities and political exclusion with personal rights. In the first place there were the members of the church, who enjoyed all the benefits of the Constitution; then there were the orthodox Protestant Dissenters who enjoyed equal freedom with the Churchmen, and were admissible to Parliament; then there were heterodox Protestant Dissenters, and they too were admissible to Parliament, and many of them had seats there, but they were not admissible to office, and were denied the exercise of their worship; and then there were Quakers who were not admissible to Parliament nor to office, and who were denied civil rights, inasmuch as they were not permitted to give evidence in Courts of Justice, as they would not take an oath; and lastly, there were the Catholics, who had perfect freedom of worship, but were excluded from office and from Parliament. Such had been the state of our laws, thus exhibiting every variety of disability and of privilege; but it seemed that by some miracle the Jews had escaped from both those situations, which were, however, now pressed against them on the grounds of the experience of past time and the wisdom of our ancestors. This question had been argued on other grounds. It must be given up on precedent; but then it was said that our institutions were based upon the Christian religion, and that in our statutes every one who professed Christianity was advantageously distinguished from all those who denied its divinity and truth. With respect to our institutions, that argument had been urged in the year 1753 against the project for the naturalization of the Jews, and it had then been nobly answered by Mr. Pelham, who thus applied himself to its consideration: "As to what has been said, Sir, about Christianity being part of our establishment, and that we ought not to allow the professed enemies of our ecclesiastical establishment to come and live among us, no more than we would allow the professed enemies of our civil establishments to come and live amongst us, it is an argument that goes a great deal to far—not only Christianity, but Christianity as professed and practised by the Church of England, is a part of our establishment; will any Gentleman say that we ought not to allow any person to live amongst us that will not in every punctillio conform to the profession and practice of the Church of England? Surely, Sir, I am not to look upon every man as my enemy who differs from me in opinion upon any point of religion. This would be a most unchristian way of thinking; therefore I must think that the Jews are in much the same case with the dissenters from the Church of England." Such had been the liberal sentiments of the man who was then the Ministerial leader of that House. Such sentiments he (Mr. R. Grant) had heard with pleasure from the lips of Mr. Pelham's present successor in that office, the right hon. Gentleman (Mr. Secretary Peel) whose absence and its cause he now so much regretted* but who, he trusted would, on some future discussion of this question, repeat those sentiments which had already gained him so much credit among men of enlightened and generous minds. At no period could it be shewn that our laws had supported one form of Christianity and had not opposed another: then how could they collect that those laws had supported both these contrary forms against a third? The laws had been such as he had described till they came to the reign of William 3rd., when there was a nearer approach to that system for which Gentlemen now contended; but in that day there was no collection of Statutes supporting general Christianity as part of the law of the land; they supported Christianity, indeed, but it was the Christianity of the Church Establishment, which condemned the Catholic as meditating treason, and the Unitarian as uttering blasphemy. But if it were said, that because the laws were found to support some one part of Christianity it supported the whole, he denied the assertion, and maintained that he was entitled to reverse the argument, and then employ it in favour of his own views of the question. At the time of the Reformation it was said that Christianity became a part of the law of the land, or, in other words, that the Holy Scriptures were made part of the law of the land. He was not unwilling to enter upon that ground of argument, and in doing so he trusted that what he was about to say would not be considered as a proof that he was dead to the value of the institutions of the country. There was one sense in which Christianity was certainly part of the law of the land, inasmuch as the law undertook to protect the Sacred Scriptures. It did so because those Scriptures were part of the State religion of the country. Now a large part of those very Scriptures were supported in their sacred character by those very people in whose favour he was at that moment addressing the House, and from their ancestors had we derived our knowledge of them. On these grounds, therefore, he saw no possible objection to the Motion he was about to propose. Nor did he suppose that, because some hon. Gentlemen had disapproved of the legislation of the two last years, that they ought to disapprove of this, or to believe, as his hon. friend seemed to imagine, that we had quitted our former high station, and were now following a descending progression, that would ultimately lead us from the truths of Christianity itself. His hon. friend (Sir R. H. Inglis) could not say that he was necessarily compelled to oppose the proposition, for he confidently expected that he should find many supporters among those who had opposed the measure of last year, which he was proud to say he had cordially supported. On those who had voted on the same side with him on that question, he now called for support; for it was not possible for them to stop short in that career of liberality on which they had so generously and so nobly entered. He called on the House to say whether it had been in error, whether the charge brought against it of being wrong was to be sanctioned by its own vote, or by the voice of the country, and by the voice—or he should rather say by the silence—of those for whom that measure of relief had been intended? Those who opposed him said they did so because they felt that they could not deviate from the maxims of their ancestors. The only mode in which they could be worthy of their ancestors was, to adopt the principles of those ancestors, and to adapt them to the altered circumstances of the present day. Instead of adhering to the letter of their acts, they should adopt their spirit, and do that which, under the same circumstances, their ancestors would have done. If we looked back to past events, we should find that our ancestors introduced those things that were now established as part of the institutions of the country; but at that time they were bold and daring innovations on existing forms. In introducing them, our ancestors showed their wisdom; but if when circumstances had changed we still retained these things, merely because they had been once introduced, instead of being proofs that we possessed the wisdom of our ancestors, they would remain memorials of the folly, the rashness, and the madness of their descendants. These arguments applied to one set of objections made to this measure. He came, then, to objections of a secular kind founded on those peculiar habits of the Jews which, it was said, unfitted them for the full and unqualified exercise of civil and political rights. It was said that they were a sort of wandering dispersed people, concerned in operations between different countries, but belonging to none. He partly admitted the fact, but what was the cause? Was it not to be found in laws which gave them no country, and attached them to no soil; and were not those who made such laws and then complained of their effects like those who first made men commit crimes and then punished them for their criminality? The circumstances in which he then stood proved their readiness to adopt the principles of a settled community—their readiness to give the Parliament their full affection and allegiance, if the Parliament would give them full protection and conciliation. they would adopt domestic habits if Parliament would give them a home—they would become a settled people if Parliament would afford them a country. Another argument connected with the same branch of the subject was, that there was something so demoralising in the state of some of their body that they were not fit to be invested with civil privileges. That charge was true with respect to some of them, but was false with regard to the greater part of them. There were no citizens more remarkable for their probity, integrity, and high-mindedness than the higher classes of the Jewish body. He admitted that the charge was well founded with respect to the lower classes of the Jews; but the moment the law that put an end to their disabilities was passed, a most triumphant course would have been adopted to put an end to the accusation for ever. The higher classes had laboured hard to afford the advantages of education to their humbler brethren, but the latter were found in a situation of the most demoralized kind, and the feeling that they were so only tended to keep them in that state, and to demoralise others. He knew no readier, nor any, he would say, more wicked way to demoralise a people, and to make them corrupt, than to enact laws as if corruption already existed among them. So much for the secular head of objection to the measure he now proposed. He now came to another objection. It was said, that though these exclusions were not to be justified on the ground of precedent, yet that as matter of propriety the law admitted only Christians, and his hon. friend had said "I for one will not give a vote to unchristianise the British people." The argument was, that if Parliament admitted any class of persons who were not Christians, a door would be opened to the admission of all sorts of persons who denied the doctrines of Christianity. In the first place he denied the truth of the comparison, and he asserted that the most eminent divines of our Church had admitted that the system of Judaism stood in such a relation to the Christian religion as was not found and could not be found to exist between Christianity and any other religion. The very foundations of our religion were in the religious books of the Jews—in those books its principles were to be discovered, and the sincere professor of Christianity was deeply implicated in the past history, and in the future estimation of the Jewish people. On that subject he would take the liberty of reading a few words from the letter of an excellent and learned clergyman to the Jews. The writer said, so many and so striking were the analogies of the Jewish and Christian religions, as to prove beyond all doubt that both had their origin from the same source, and owed their existence to the same authority—they were founded on the evidence of the same species—they were the same in their practical nature and result—they were not distinct and dissimilar religions, but were identical—they were one and the same—Judaism was infant Christianity, and Christianity was adult Judaism. He fully agreed with this, but he put the admission of the Jews upon higher grounds—they were men who maintained and revered the obligation and sanctity of oaths, and who acted the part of peaceable, loyal, and upright citizens. He must state, that he was not aware of any principle on which they had a right to exclude the Jews from those privileges which were enjoyed by their fellow-subjects. If all were placed on one footing, all would direct their energies to one common purpose. As members of one community they would employ all their power to effect one common object. As labourers they would furnish to the State their industry—the brave would give their valour—the rich their means—and the wise their counsel—for the service of the State. The vital principle of all society was, and must be, mutuality—this was destroyed by political restrictions: put an end to them, and the reciprocal rights and duties of all men would again come into full operation for the benefit of the whole community. In the state of our National Church there were offices from which, as connected with it, the Jews must be excluded; but there was no reason why they should be excluded from those civil privileges which were common to the rest of their countrymen. The great principle which bound men to each other acted as universally as the principle of gravitationwhich attracted bodies to each other, and could be violated with as little propriety. The principles of our religion condemn a system of exclusion, which could only generate ill-will between men; and on every ground, he was satisfied the House would feel that they ought to conciliate the affection and attachment of those with whom they lived. He referred his hon. friend to the earliest times of Christianity, and called on him to say whether the sincerest and most devoted members of the Christian faith did not freely take offices in those Pagan establishments under which they lived? Why did they do so?—was it because they were indifferent to the evils of Paganism? Certainly not; for rather than drop one particle of incense on the altars, they would have suffered a thousand deaths. It was because they felt that the Supreme Disposer of Events had thrown them into a society with which they were connected by the ties of a common country, and they therefore gave their services for the promotion of the common good, and in favour of the government under which they lived. In doing so they did to a certain extent lend their support to the Pagan religion, because they supported the Government by which it was maintained; but the evil of that indirect support could not outweigh the claims of country, and they therefore supported the Government which liberally gave (while it did liberally give) them favour and protection. He would here interpose one word with respect to the representative system. There were persons who thought the Jews ought to be admitted to the enjoyment of all political rights except that of sitting in Parliament. Our ancestors, at the glorious Revolution, felt that every class of the community was worthy of civil rights, and might delegate a part of themselves to represent them in the great council of the nation. Last came what was said to be the great practical evil of the change he proposed—that Dissenters of all classes, sour Presbyterians, and wily Jesuits, were admitted into Parliament; and that some day or other, when Ministers were absent, and opposition off their guard, the separatists, in a body, would come down to the House; and Church and State, King, Lords, and Commons, would be out-voted and destroyed at once. Suppose anything so unlikely—so impossible, he might call it—to happen, it was not by one vote that a matter of that kind could be accomplished; and what had been done one day, might be undone the next; and instances were not unknown, when a strong vivacious feeling prevailed, that a measure was proposed contrary to the sense of the country, and opposed to the interests of the people, which although adopted by one vote, was annulled by another. A rally had invariably occurred, to the discomfiture, with great loss, of those who had succeeded for the moment by surprise. But was it not ridiculous to suppose, that any of the great moral establishments of this kingdom, founded on the love and affection of the people, would be endangered by the admission of a few individuals of a different creed? Nothing could be more miserable than that sort of valetudinarian legislation which, under the terror of fancied evils, sacrificed the well-being of the State to chimerical imaginations—nothing could be more short-sighted than such a proceeding, for he begged to add this principle—that the only mode of securing our establishments from such perils was to fix them as fairly as possible in the hearts and affections of the people. Those who indulged such apprehensions, said, in effect, that the pyramid of national power was in imminent danger from every gust that blew; and why was it in danger? Because they preposterously attempted to balance it on its apex, and to prop it by the ingenious but futile machinery of legislation, instead of resting it upon the broad base of the love and allegiance of the people. Let it be placed upon that base, and it would remain for ever in solid and unassailable tranquillity. He would touch very briefly on another objection: he mentioned it with some reluctance, but having been informed by a respectable and intelligent Member, that it would be the foundation of his vote, he could not omit it: it referred not to the religious opinions, but to the religious position of the Jews—that inasmuch as both Jewish and Christian commentators agreed this community was under a species of heavenly proscription, those who endeavoured to improve their condition would be guilty of impiety and presumption. He should say in answer, that the conclusion of the argument fell infinitely short of the premises, for what did it amount to?—that was, much as the Jews are under this ban, in consequence of which they were to be hunted to and fro—denied the ordinary rights of citizens—allowed no homes—no country—no freedom of worship—and to experience nothing but hatred and persecution, that therefore what? That they shall have ordinary protection—that they shall enjoy a certain degree of freedom of worship—that they shall have half what the argument denies them—but that they should be excluded from civil office and franchise, which, so far from being persecution, was, as he maintained, no persecution at all. Those who were disposed so to argue should go the whole length of their proposition—should re-enact the murderous laws of the Plantagenets and re-sacrifice the unhappy Israelites to the fury of the populace. Then, again, as in the reign of Richard 1st, the streets of York would be floating with the blood of 1,500 Jews, who put an end to their own lives rather than fall into the merciless hands of their Christian enemies. Unless those who used the argument followed it out to this extent, they contradicted themselves, and were bound either to abjure their premises, or with a Christian spirit to do an act of justice and liberality. Upon this point he would only read an extract from the work of a pious and enlightened bishop of our Church, who said, "the Jews are blameable for persisting in infidelity after so many means of conversion; but that is no warrant or authority for us to proscribe, to abuse, to injure and oppress them, as Christians of more zeal than knowledge or charity have been in all ages prone to do; it is worse in us to be cruel and uncharitable, than in them to be obstinate and unbelieving." The same writer went on to adduce motives for showing compassion to this unhappy people, contending that only wicked nations harassed and oppressed them, while the good would treat them with kindness and forbearance; and he added, "We should rather be the dispensers of Heaven's mercy, than the executioners of its justice." In the language of that pious prelate he cordially concurred. He had now nearly closed all he had to say upon this subject; but before he sat down, he wished to observe that it was not in his power upon this, as had been done upon a recent occasion, to make an appeal to the feelings, and even to the fears of Parliament; he could not state that the Jews formed the great majority of the population of a country bordering upon a state of civil war, from an antiquated system of oppression and misgovernment; he could not assert that the safety of the whole empire was at stake in the result of this question; he had nothing to offer but their weakness, whose cause he advocated, and for whom he claimed protection. Let him say, however, that not unrewarded would be the service thus rendered—not only would the concession have in this country all the merit of unforced wisdom and spontaneous bounty, but the knowledge of it would be extended to climes, where at present the British name was hardly known. The Jews spoke, as it were a universal language, and they would spread the story of British liberality in the remotest corners of the globe.—Hitherto they had known Christianity only as the pretext for savage persecutions, and they would celebrate the change, not merely with empty praises, but with the solid advantage of commercial preference. How willingly would they contribute to the welfare and prosperity of a Christian kingdom, which, though tardily, had generously conferred benefits hitherto withheld. He would conclude with a maxim common to both religions; and he hoped, without employing improperly the venerable language of Scripture, he might be allowed to say, that it was the duty of the House, in reference to this question, "to do justice and to love mercy." He moved for "leave to bring in a Bill to Repeal the Civil Disabilities affecting British-born subjects professing the Jewish religion."

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* The cause alluded to by Mr. Grant, was the illness of Mr. Peel's father, whose death on the 3rd of May, raised this Gentleman to the dignity of a Baronet and after that period he appears in our pages as Sir Robert Peel.

Sir *R. Inglis* felt himself called on to resist the introduction of the measure as an imperative duty from which he could not shrink; and he hoped it would be rejected instantly, and for ever. In the speech of his hon. friend, he did not know which to admire most—the topics he had introduced, or those he had omitted. He had discussed his subject under four heads:—1st, The present state of the law; 2nd, The grounds of complaint against the law; 3rd, The remedy he proposed; 4th, The objections to that remedy.—The object was to obtain the admission of Jews into Parliament; but he defied his hon. friend, who seemed to have ransacked all history, to produce a single instance in which any but Christians had been admitted to political power. He contended, that long before the Oaths of Abjuration and Supremacy were framed, the test of admission was always upon some Christian relic, if not upon the Christian volume. The Jews had been excluded at all times, and not merely in more modern times, by the words "upon the true faith of a Christian." His hon. friend might say that the Roman Catholic Relief Bill had extended the benefits of the British Constitution to all classes of his Majesty's subjects, but he (Sir R. Inglis) denied that that was the principle on which that measure had been brought forward; and he asserted, that nine-tenths of those who voted for it had supported it on very different grounds. That fatal and ill-omened act, as he must call it, did not by any means go so far. It did not confer rights—it restored them; it restored rights to those who had once enjoyed them, and had subsequently, wisely or unwisely, been deprived of them. It declared, that within the pale of our common Christianity there should no longer be any distinction between Catholic and Protestant, but it established no broader principle. Then came the question, whether the case of the Jews justified any exception to the principle thus established? It appeared to him that there was nothing in their character, conduct, history, or present condition, which justified the appeal that had been made. He maintained that the Jews were aliens, not in the technical and legal sense, when Lord Coke called them "aliens and perpetual enemies," but in the popular sense of the word: they were aliens because their country and their interests were not merely different, but hostile to our own. The Jews of London had more sympathy with the Jews resident in Berlin or Vienna than with the Christians among whom they resided—and a reference to a few instances would show that their interests were different and hostile. In one of the wars of the last century the Jews were expelled from Bohemia for assisting an invading army, and it was well known that they importantly facilitated the retreat of Napoleon after his campaign in Russia: they furnished the means to those who were lucky enough to escape. It was a known fact also, that while we were at war with France, the Jews of London had furnished Napoleon with a loan to enable him to carry on the most determined hostility. He did not see how his hon. friend could consistently stop at the point he proposed: his argument necessarily tended to the admission of all British subjects; for the distinction between British-born subjects and British subjects was too evanescent to justify a distinction between them. Whether British subjects happened to be born in Quebec, Jamaica, Calcutta, or Bombay, they ought all to be admitted to a share of political privileges; the next step would be, to abolish all oaths, for, after such a proceeding, they could only be exposed to ridicule. Some hon. Members might think this an advantage, and might hold that the best security for public men was the test of public opinion—that test being gathered from *The Morning Chronicle* on the one hand, and from *The Morning Post* on the other. He had always held that the grant or refusal of civil rights was a mere matter of discretion, to be decided by expediency, and not upon abstract right; and therefore, until better arguments were advanced, he should resist the admission of Jews, on the point of expediency. It might be urged that the number was so small as to disarm apprehension; but he said with Mr. Burke, that a small number might make up for its want of weight by its activity, and produce the greatest public events. Those with whom his hon. friend sat were not precisely those from whom the House would expect a contrary lesson. It might not be in good taste to expatiate on the value—the political and influential, not the pecuniary value—of seats in Parliament; but the Jews might get into the House of Commons, and use that power for their own selfish and unnational purposes. They were not a sect; but to this day they called themselves a people; and they might avail themselves of their political influence for objects connected with their own aggrandisement. At the time of the discussion of the debts of the Nabob of Arcot, Mr. Burke had not scrupled to designate certain individuals, who had purchased their seats, as the members for Arcot; within the last thirty years many firms had thought it right to be represented by members of their house, and in one instance four partners had filled seats at the same time to avail themselves of the *mollissima tempora fandi*, when their own interests were concerned. The Jews might obtain admission by the same means and for the same purposes, and an hon. friend of his had said, that he knew of four who were ready to enter the House at once: considering that there were in the United Kingdom, at the utmost, 40,000 Jews, and that about every 40,000 Christians had only one representative, this number was considerably above their fair proportion. The command of capital would enable the Jews to obtain seats, and the introduction of a Jew ought to be considered direct evidence of bribery, for it was out of the question to suppose that they would ever obtain the unbought suffrages of the people. A Jew Member would carry on his forehead the evidence of the mode by which he obtained admission; and certain he was, that within seven years after the entrance of the first Jew, Parliamentary Reform would be carried. Notwithstanding what he heard, he repeated the assertion, that Parliamentary Reform must be carried within seven years after the first Jew obtained a seat in Parliament. Those who were in favour of Reform would, of course, therefore vote for his hon. friend's Bill; and with those who were opposed to Reform, he trusted the observation he had made would have its due weight. But supposing the introduction of Jews were followed by no consequences, he should still, on principle, resist their admission; and from the first hour of the Constitution to the present, he defied any man to show an instance in which any but a Christian had been admitted to Parliament, or to power. Indeed, the system of Christianity had been protected by the Parliament and approved by the people. If the Jew approached the Table of that House, he would approach it as one who declared the Saviour to be an impostor; and at the very time that he was sworn, his faith would be that the holy name by which we called ourselves was a name of contempt and derision. When the Jew asked them to admit him to a seat in that House, or on the judgment-seat, they were bound to remember, that in such a case he would be called upon to administer the law to a Christian people. With this fact before them, it appeared to him that there was no principle which could compel or justify them in giving the charge of a Christian Church or a Christian people to those who made these declarations.

He could not but think that there was a solecism in this which it would be impossible to get over, and which ought to be paramount against his hon. friend's Bill. He was willing to admit that in other countries this step had been taken; but at the same time he was unwilling that the example of any other country on this subject should influence or affect the conduct of this; and in spite of what had been said by his hon. friend, he was sure that the institutions either of Pagan or of Imperial Rome would not bear them out in the course that was proposed. If they looked towards France, though it was true that the law there had given eligibility to the Jew as to office, yet there was not one single instance in which any Jew had been placed either in the Chamber of Deputies, or in the Chamber of Peers, or had been advanced to an office in the Administration of justice, or to a seat on the Bench. In no case had a Jew in that country yet held an office higher than that of Receiver. In the Low Countries the same was the case—there was no instance of a Jew being placed in a situation of power, either as regarded the representation of the country, or its administration of justice. With respect to America (a country which had frequently been held up as a model to England), there had not been a single Jew admitted into the House of Representatives; nor in any part of the United States had a Jew been admitted to office, with the exception of one person (whose name was well known in this country), who had been appointed to that office which was the second to that of the Receiver of Customs in New York. But in these particulars there would be a great difference between these countries and ours. Once let the Bill of his hon. friend become a law, not a year, not a day would pass, without the principle coming into operation; and this fulcrum once gained, it was easy to see that it would open the way to the exercise of other and still more dangerous powers. In fact, if the point with respect to the Jews was once conceded, it would be difficult to withstand the intrusion of any other class. Under these circumstances, it appeared to him that the only course consistent with the remains of the old Constitution, and with their own character, was to resist the measure of his hon. friend from the very first. It was no want of respect to his hon. friend, that he took this earliest opportunity of resisting the Bill; but with respect to such an attempt, he thought that they were bound to oppose even the granting of leave. In the course of the present Session, an hon. Member, whom he did not then see in his place, had opposed the hon. member for Staffordshire, in asking for leave to bring in a bill to prevent the payment of labourers by butter and cheese instead of money. If this measure, of such comparatively trivial importance was to be opposed from the very first, he trusted that it would not be deemed any want of respect to his hon. friend, for him to implore the House to resist the measure of which his hon. friend was the advocate, by refusing at once to give leave for the Bill to be brought in.

Sir James Mackintosh and Mr. Macauley rose together, but the latter, being a new Member was called for by the House, and—

Mr. *Macauley* proceeded to address the House nearly as follows:—In spite of the parallel which my hon. friend (the member for Oxford) has attempted—I think in vain—to draw between this case and the Roman Catholic measure before the House during the last Session of Parliament, I trust that we shall not have to forego the votes of many of those hon. Gentlemen who in the last Session were opposed to the concession of the Catholic claims. Indeed, many of those Gentlemen will be precluded, by the course they then took, from offering any opposition to the present measure. The general principle of religious toleration was involved in the question of last year, as it is now: but most of those Gentlemen who voted against the Roman Catholics declared in favour of this general principle, only they found that there were special circumstances which took the case of the Roman Catholics out of the pale of that principle. But, Sir, there are no such circumstances here. In this instance, there is no foreign power to be feared. There is no divided allegiance threatening the State—there are no bulls—there are no indulgencies—there are no dispensations—there is no priesthood exercising an absolute authority over the consciences of those who are under their spiritual control—there are no agitators rousing and exciting the people to a course contrary to all good government—there are no associations assembling, or charged with assembling, for the purpose of assuming, a power which ought only to belong to legally recognized functionaries—there are no mobs, disciplined to their task, and almost in the regular training of arms—there is no rent levied with the regularity of a tax. It was the fashion last year to declaim about a government that yielded to clamour, opposition, or threats, having betrayed the sacredness of its office, but there can be none such here; for even those most opposed to the present measure cannot deny that the Jews have borne their deprivations long in silence, and are now complaining with mildness and decency. As a contrast to this, the Roman Catholics were always described as an insinuating, restless, cunning, watchful sect, ever on the search how they might increase their power and the number of their sect, pressing for converts in every possible way, and only withheld by the want of power from following up their ancient persecutions. But the sect with which we now have to deal are even more prone to monopolize their religion than the others are to propagating the Catholic faith. Never has such a thing been heard of as an attempt on the part of the Jews to gain proselytes; and we may conclude, that with such rites and forms as belong to their faith, it could scarcely be expected by any one that a scheme of proselytism could succeed with them. Be that however as it may, it is a thing at which they never appear to have aimed. On the contrary, they have always discouraged such an idea. Let the history of England be examined, and it will furnish topics enough against the Catholics. Those who have looked for such things have always found enough to talk about as to the crimes they have committed: the fires in Smithfield—the Gunpowder Plot—the Seven Bishops—have always afforded copious matter upon which to launch out in invective against the Catholics. But with respect to the Jews, the history of England affords events exactly opposite: its pages, as to these people, are made up of wrongs suffered and injuries endured by them, without a trace of any wrong or injury committed in return; they are made up, from the beginning to the end, of atrocious cruelties inflicted on the one hand, and grievous privations endured for conscience-sake on the other. With respect to all Christian sects, their changes of situation have always afforded scope for charges of mutual recrimination against one another; but every one allows the side on which the balance between the Jew and the Christian is weighed down. As to the opposition offered to this Bill by my hon. friend, I am at a loss to see on what he has grounded it, unless he takes the broad principle, that no one who is not a Christian is to be entrusted with power, as his rule of action; I am at a loss to see how he can refuse his assent to or oppose this measure without throwing himself open to the charge of inconsistency. If this Bill, like the Roman Catholic one of last Session, is to be opposed, it is condemning the strong and the weak, the violent and the patient, the proselyting and the exclusive, the political and the religious. If this is the course that is to be taken for our guide, persecution will never want an excuse, and the wolf will ever be able to invent a pretence to bear down and destroy the lamb. If this is to be the maxim set up for our land-mark, it will soon appear that every thing may be a reason with the aggressor, as every thing is shown to be a crime in the aggressed. In all the opposition that was lately evinced against the Catholics, it was never once assumed or pretended that the opposition was religious; it was political, and nothing else. When the object was to excite ill blood and rancour in the country—when red-hot speeches and tub-sermons went forth on the subject, the people were told that the question was, whether they should be compelled to worship stocks and stones, instead of the true God? But this was a point of view never alluded to by the more distinguished and candid opponents of the Catholic claims. I myself remember having heard the Earl of Eldon declare that it was not on religious but on political grounds that he was opposed to the measure. The question just at that time under consideration was that of Transubstantiation; and the noble and learned Lord observed that it was not because the Catholics believed in the real presence that they were objected to, but that being the test by which they were kept out, they were through that kept out, because they were not good subjects. But now the whole case is changed. Political objection is fairly given up; and in its place religious persecution is avowed. In all that my hon. friend, the member for Oxford, has offered to the House, I have traced but two political objections; and neither of them appears to me to be entitled to the weight which my hon. friend would give to them. The first political argument that my hon, friend has adduced against this measure is, that the Jews of this country are more attached to their nation—wandering and scattered as they are over the face of the earth—than they are to the people of England. The only answer that I shall offer to this, is, that at all events it is exceedingly unfair to lay down this as an objection till we have tried the experiment whether, by making Englishmen of them, they will not become members of the community. Till that has been done, all we can say is, that as long as they are not Englishmen they are nothing but Jews. The other objection of my hon. friend appears to me to be more extraordinary still. He says that if this measure be granted, the power of the Jews will be such that they will come into Parliament in a much greater number than is proportioned to their relative number in the country, and the consequence of this will be to destroy the present system of representation, which will be rendered odious to the people, and a reform in Parliament must ensue. All that I can see in this argument is, that the Jews will not get into Parliament, because we are labouring under a bad system of representation. At all events, the system that we have at present must be either good or bad. If the system is bad, it is evident that the sooner we get rid of it the better. If the system is good, why should we complain of that to which it naturally tends. These objections seem to be the only political objections that my hon. friend has urged against the measure now before the House, and all the rest may be characterised as purely religious persecution. But even when my hon. friend has brought himself to that, he does not pretend to say that he opposes the Bill because the religion of the Jews is dangerous. No such pretence is put forth at all. No such outcry as that raised last session is heard now. The opposition which has made its appearance now is, if I may use the phrase without giving offence to my hon. friend, nothing but the offal—nothing but the leavings of the intolerance which was so abundant last year. All that the House has been told is, that the Jews are not Christians, and that therefore they must not have power. But this has not been declared openly and ingenuously, as it once was. Formerly the persecution of the Jews was at least consistent. The thing was made complete once by taking away their property, their liberty, and their lives. My hon. friend is now equally vehement as to taking away their political power; and yet, no doubt, he would shudder at what such a measure would really take away. The only power that my hon. friend seems to wish to deprive the Jews of is to consist in maces, gold chains, and skins of parchment, with pieces of wax dangling at the ends of them. But he is leaving them all the things that bestow real power. He allows them to have property, and in these times property is power, mighty and overwhelming power—he allows them to have knowledge, and knowledge is no less power. Then why is all this power poisoned by intolerance? Why is the Jew to have the power of a principal over his clerk—of a master over his servant—of a landlord over his tenant? Why is he to have all this, which is power, and yet to be deprived of the fair and natural consequences of this power? Why, having conceded all this, is my hon. friend afterwards to turn round and say, "You shall have all these real effects and advantages of your situation, but in the fair sequence of their possession, you shall be crippled and borne down." As things now stand, a Jew may be the richest man in England—he may possess the whole of London—his interest may be the means of raising this party or depressing that—of making East-India directors, or sending members into Parliament—the influence of a Jew may be of the first consequence in a war which shall be the means of shaking all Europe to its centre. His power may come into play in assisting or retarding the greatest plans of the greatest Princes; and yet, with all this confessed, acknowledged, undenied, my hon. friend would have them deprived of power! If, indeed, my hon. friend would have things thus arranged, I would put a question to him thus:—Does he not think that wealth confers power? If it do, can he be prepared to say that the Jew shall not have power? If it do not, where are we to draw the line? How are we to permit all the consequences of their wealth but one? I cannot conceive the nature of an argument that is to bear out such a position. If it was to be full and entire persecution, after the consistent example of our ancestors, I could understand it. If we were called on to revert to the days, when, as a people, they were pillaged—when their warehouses were torn down—when their every right was sacrificed, the thing would be comprehensible. But this is a delicate persecution, with no abstract rule for its guidance. As to the matter of right, if the word "legal" is to be attached to it, I am bound to acknowledge that the Jews have no legal right to power; but in the same way, 300 years ago, they had no legal right to be in England; and 600 years ago they had no right to the teeth in their heads: but if it is the moral right we are to look at, I say, that on every principle of moral obligation, I hold that the Jew has a right to political power. Every man has a right to all that may conduce to his pleasure, if it does not inflict pain on any one else. This is one of the broadest maxims of human nature, and I cannot therefore see how its supporters can be fairly called upon to defend it—the *onus probandi* lies, not on the advocates of freedom, but on the advocates of restraint. Let my hon. friend first show that there is some danger—some injury to the State, likely to arise from the admission of the Jews, and then will be the time to call upon us to answer the case that he has made out. Till such an argument, however, is fully made out, I shall contend for the moral right of the Jews. That they wish to have access to the privilege of sitting in Parliament has already been shown; it now remains to show that some harm is calculated to result from that admission. Unless this is shown, the refusal is neither more nor less than persecution. My hon. friend put a different interpretation upon the particular word I have used; but the meaning will still remain the same; and when we come to define the sense, it must be found, that we are only quibbling about a word. Any person may build a theory upon phrases: with some, perhaps, burning would be persecution, while the screwing of thumbs would not be persecution; others may call the screwing of thumbs persecution, and deny the justice of that expression when used to whipping. But according to my impression, the infliction of any penalties on account of religious opinions, and on account of religious opinions alone, is generally understood as coming within the meaning of the term, for all the purposes of political argument. It is as much persecution in principle as an *auto da fé*, the only difference is in degree. Defining persecution, then, as I do, I cannot conceive any argument to be adduced in favour of the mildest degree of this injustice, which, logically speaking, though not morally, indeed, might not be used with equal force in favour of the most cruel inflictions from similar motives. I have to make my apology for having occupied so much of the time of the hon. Gentlemen present; but I could not refrain from making known my sentiments to this House of Commons, which has done more for the rights of conscience than any Parliament that ever sat. Its sessions of 1828 and of 1829 have been marked by a glorious course in favour of religious liberty; and I hope that, before our separation, this Session of 1830, will put the finishing hand to that work which so many great and good men wish to see accomplished, but which cannot be, till this most desirable measure shall be carried into effect.

Mr. *Harrison Batley* was of opinion, that the Jews could not be admitted into Parliament without an alteration of the original writ of summons, as their religion was entirely at variance with the spirit of that declaration. He opposed the Jews because they did not believe in Christianity. The original summons to Parliament ran thus. "*De communi consilio super negotiis quibusdam arduis et urgentibus, regem statum et defensionem regni Angliæ et ecclesiæ Anglicanæ concernentibus.*" With that language in the original writ of summons, how was it possible to admit the Jews into that Christian legislature, to make laws for a Christian State and a Christian Church. It was contended that the Jews were unambitious, and might therefore safely be trusted. But if they were unambitious, it was because they had had hitherto no stepping-stone for their ambition. It had been calculated—and he believed upon very sufficient *data*—that in the event of such a measure as the present being carried into effect, twenty-five Jews would obtain seats in the Commons House of Parliament, and a few of the leading men amongst them would soon obtain as much influence there as they had already possessed over the 3-per-cent consols. For his own part, he could never consent to any one taking his seat in that House who did not believe in the Christian religion.

Sir *James Macintosh* said, that the speech they had heard from his hon. and learned friend (Mr. Macauley) was one which, he had no doubt, would make its full impression on the House, it being every way worthy of the name he bore. It was not, therefore, to supply any defects in that speech that he had risen to address the House, for indeed there were none that he could find, but principally to absolve his own conscience. He felt that it was a duty he owed to his religion, to mankind, and his country, to declare his sentiments on this occasion. His desire was, to bear testimony in favour of the completion of that system of religious liberty of which that House had already, during the last two Sessions, effected so large a portion. However politic it might have been in his hon. friend, who had so luminously introduced this topic to the House, to have abstained from any thing which might have been deemed applicable to the late differences of opinion which had prevailed in that House, he for one could not consent to forego the vantage ground which the late proceedings of Parliament had afforded him. In turning his thoughts in this direction, he could not but congratulate himself that he was, on the present occasion, addressing a House of Commons which had done more for religious liberty than any assembly since the first Parliament of William 3rd; and it would even have been free from that exception, if that Parliament had not passed the Act of Toleration, which, as it was the first step towards religious freedom, so it ought always to be considered also as the greatest. With respect to the arguments which the hon. member for Oxford had advanced against the measure, he should abstain from offering any general answer to them, as that task had already been so ably undertaken and performed by his hon. and learned friend; and he should, therefore, confine himself to a few remarks on the practical consequences which the hon. member for Oxford had urged. The first of these appeared to him to be one of a very singular nature. The hon. Gentleman had neither done more nor less than discovered a great secret; one which had never been whispered within the walls of that House, and still less had been surmised beyond them. He had discovered a secret which, had it been proclaimed by a hostile voice, in spite of the "Tell it not in Gath—publish it not in the streets of Ascalon," would have amazed the universe; a secret which, if it was once got at by an interloping Jew in that House, would put an end to the whole system of the representation of this country. It seemed that this profound secret had remained concealed till the hon. Member lighted upon it: in vain had the great Earl of Chatham proclaimed the notorious sale of seats in that House—in vain had Mr. Burke, in his immortal speech, told the world that the Nabob of Arcott sent no less that eight Members into that House—in vain had been the thunders of Mr. Fox's eloquence, supported by all the talent of that side of the House, and reverberated by the brilliant eloquence of Mr. Pitt; the thing had never yet been truly discovered till now; and in spite of the long acknowledged venality of the seats in that House, it had remained for the hon. member for Oxford to find out, that once admit a Jew, and he would soon produce a reform in that House, and destroy the Constitution. A comment of more pleasantry was, "A Wonder—a Woman keeps a Secret!" But the wonder that the hon. Member had lighted upon—that it was reserved for a Jew, in the year 1830, to effect what had been reverberated by every wall of that House for more than sixty years, and had resounded from every village of the country, for so long he took it had the opinion been rife in Great Britain, that the Parliament must be reformed—was a miracle much more worthy of a proverb. The next argument of the hon. member for Oxford was equally singular with the first. It was singular, too, that the hon. Gentleman had not perceived how strongly his facts were destructive of the inference he had drawn. He had told them that the Nabob of Arcott sent eight Members into that House: but was that for want of disabling laws? No; all this had happened in the time of proper and becoming restrictions; and yet the Nabob of Arcott, at the head of this band of eight, had broke through their rules—had broken down their Statutes, and, taking possession of the Table, gone through the form of the Oaths as by law required. Here, then, was one refutation of the hon. Gentleman's argument! According to him, the remedy existed, and yet the disease was raging in all its fury. The hon. Gentleman had then gone on to tell them, that in Holland, and in France, and in the United States, in spite of favourable laws, no irruption of the Jews with the Legislature had taken place—no conspiracy of the Jews to spend vast sums upon their elections had been detected; and that it was only in the humbler stations of public service they were to be found. After this, had he not a right to say, that as the hon. Gentleman's first set of facts had destroyed one part of his argument, so this second set of statements equally refuted his supposition that in the event of public office being opened to them here, they would overrun the country? With respect to the exceptions made by the hon. Gentleman in the case of the United States, he could assure him that it was not the sheriff, but the mayor of New York that was a Jew; and with reference to Holland, a most learned and valuable Jew, of the name of Meyer, was president of the criminal court at Amsterdam, a gentleman who, for his high judicial character, and for his works of jurisprudence, was well known all over Europe. But the hon. Gentleman contended that there was something in this country which laid us particularly open to the attack of their wealth. The Jews, then, were safe people to trust in Holland, in France, and in America, but in England they were dangerous. If this argument were to hold, it would appear that they were to be all-powerful in England, while they possessed no power elsewhere. Did the hon. Member mean to infer, that the character of England was so much worse than that of any other nation, or that we were a more venal people? He hoped that this was not the case; but if it were so, the representation of England must be worse than any other; and the materials being bad, there was no reason for a Jew to proclaim "*Urbem venalem et citò perituram.*" The argument of the hon. Gentleman went to show that the Jews ought not to be admitted into the offices of the State, because they were more attached to each other than to any country. True, that was the case; but was the Government not to blame for this? We first deprived the Jews of a country and a character; and were we then to complain of their vices, and attribute it to them as a crime that they had neither country nor character? We had deprived them of all objects of affection in a country; we had made them become attached only to their own persons, and then we urged our own wrong as an objection to granting their prayers. He was unwilling to go far into the objections that had been advanced; but he should like to know who were the persons who would be let into a share of the Constitution by the precedent which would be established by consenting to this measure? The hon. Member had spoken of the natural-born subjects of his Majesty in the colonies; but they were eligible already. They were capable of holding land; they were capable of sitting in the Parliament; some of them did sit there, and he wished, for the sake of the empire, and the security of its union, particularly when he remembered the great accession of talents brought into that House by the hon. member for Saint Michael's (Mr. Labouchere), that many more natives of the colonies had seats in that assembly. The hon. Member had argued the question on the ground that the natives of India were not entitled to the privileges of the Constitution. But every native of India was one of the King's subjects: he owed his Majesty allegiance, and to him, in return, was due protection and justice. It was the first maxim of political society that they were not to withhold the advantages for which allegiance was paid, unless it were distinctly proved that great advantages would result to the State from not giving to individuals all the privileges claimed. That was the rule of justice. Every man born under the Constitution was entitled to all the privileges of the Constitution. He would repeat, as had been stated before, that this maxim ought to be applied to the Jews. It had been stated as an objection to the Jews, that they had been attached to Napoleon; but why had they been so attached? What attached them? Why he did them justice: he gave them protection, and made them the sharers of the privileges of the State: he admitted them directly into all the advantages of the law. Who drove them into his arms?—Their enemies, the authors of disabling laws, such as those it was now proposed to repeal. How was it that some Jews had become so degraded as the hon. Member described them?—How, but by the centuries of persecution to which they had been exposed. If it were true of the Jews that they had no regard for the esteem of their fellow men, that they were persons of no character, that they were lost and degraded; was it not, he would ask, because the law had degraded them. They had only sunk to the level of the reputation established for them by the law, and according to the old maxim—*contemptu famæ contemptu virtutis*—had been so regardless of their fellow-men as not to care what might be thought of their crimes and their vices. But what was the remedy? To degrade them still more—to continue their degradation; or rather, ought they not to remove the cause of the disease? There was, he believed, a theory of the present day, that disease was only to be cured by administering more of the stimulus that had caused it; or, according to the old proverb—to take a hair of the dog that bit you—and would the Legislature act on a similar principle. With all his respect for theories and proverbs, it would not do to apply the same doctrine to the Jews. They were subservient because they were openly despised; the moral defects of their character arose from the oppression they had been subject to. What was the remedy? To revive their regard for the esteem of other men, to awaken their sympathies with their fellow-creatures, to give them the same interests, to teach them the same lessons, to make them prize the privileges and distinctions which other men struggle to obtain; and to accomplish these objects they must be released from their present degradation, and must be treated like their fellow-subjects. This should be the first step to reclaim them—the first means to restore the character of the Jews. This made his case so strong, that he might allow the most exaggerated description of their character and vices to be correct, though he was far from believing that they deserved all the odium heaped on them by popular prejudices, and he should content himself with asserting, that the present depravity of some part of the Jews was one of the strongest arguments which could be urged in favour of the measure. The Jews were now peculiarly situated in every country of Europe, and in every one their condition was much the same. They were composed of two, or rather they contained two classes—one was extremely poor and degraded, engaged in the lowest occupations, shut out from the pale of society by the tyranny of ages, and destitute of any regard to character. They were reduced to a state of hereditary depravity, and for them emancipation was necessary to restore them to their situation in society. That was the only remedy which could relieve them from the moral malady with which they were afflicted. On the other hand, there was a large body of Jews, merchants of great credit, possessing vast wealth, engaged in extensive schemes of industry, and filling a high and respectable station in society. They were engaged in transactions with every State of Europe. He would say, with respect to them, that they deserved emancipation. The lower class of Jews could only be reclaimed, and the higher only placed in the stations they deserved to occupy, by the same measure. Most of the governments of Europe, whether they had in them any of the democratic principle which some Gentlemen thought so much a source of evil, or whether they had none of that principle, like Austria; he might say, all the governments of Europe were now engaged in reforming the lower classes of the Jews; and what was the first expedient they had adopted? The first thing they had all done was, to take away the moral brand which had doomed them to continue their malpractices. The first efficacious step to improve their moral condition was, to let them know that they were men, and to teach their fellow citizens that they were to be regarded as men. They were relieved from the prejudices of the vulgar, and learned to look with the affection of brethren on those whom they had before looked on as enemies, and they were improved and elevated by their gratitude for the respect shown them by the law, and the kindness inculcated on their fellow citizens. He would trouble the House with but few further observations. His hon. friend, on a former occasion, in the year 1828, had said that the House had severed the State from the Church of England. In 1829, his hon. friend had declared that the House by its proceedings was separating the State from the Protestant religion—a union which, as far as he knew, never had existed—which was unintelligible to him, for he knew of no law confirming the Protestant religion, though there were many by which the Protestant establishment of this country was protected. There had been, he admitted, a union between the State and the Established Church; but the union between the State and the Protestant Religion was not mentioned in any law, and it would be absurd to make that separation a ground of alarm and apprehension. The Protestant Religion comprised Lutherans, Calvinists, Armenians, and Unitarians, all of whom differed from one another, agreeing in nothing except in protesting against the claims of the Catholic Church, and against the assumed power of the State to direct and control the religion and the consciences of men. What was his hon. friend's language? The State, he said, was to secure the Protestant Religion, and therefore it was not to enable persons to fill offices in the State who were not Protestants. But his hon. friend gave no reason for this—he merely stated an arbitrary definition. What gave a State a peculiar religion—what but the disqualifying laws which precluded the members of any other religion from taking part in its public affairs: his hon. friend's principle, then, was merely an assertion that the State made disqualifying laws, and then was bound to maintain them. It was a merely arbitrary definition, and his hon. friend would not find any enlightened antagonist who would admit his definition. He could never take a second step, or establish a second proposition. If his hon. friend said, that the religion established was only safe, and could only be secured by such disabling laws, that, he begged leave to say, was begging the whole question. The argument would have been good before the House had passed the measures of the last Session and the Session before, for the relief of the Catholics and Dissenters. Who ever gave that interpretation to our disabling laws begged the whole question concerning them. His hon. friend's arguments were, therefore, complete anachronisms,—his speech of that night might have done very well in 1828, before the repeal of the Test Act, for he might then have argued, however erroneously, that exclusion was the basis of our laws, and the safety of the State. His hon. friend assumed, that disability was the principle of the British Constitution—but that he denied. Certainly that was not now the principle, since the two Acts of the last Session and the Session before the last, repealing the most important of our disabling laws, left the remainder of any such laws only the petty exceptions to the great principle of freedom,—to contend for the preservation of them was not, even in his hon. friend's estimation, the "mean reparation of mighty ruins." Before they opened the gates of the Constitution to the Catholics and the Dissenters—before Christians of all sects and denominations were admitted, in its true spirit, to all its privileges, the arguments of his hon. friend might have had some plausibility, but now it could deceive no person. What was the principle of our Ecclesiastical Law, as stated by the right hon. Gentleman, whom he did not then see in his place, when he took the lead in proposing the measure last Session? He stated that the principle of our Ecclesiastical Law was, that we should have an Established Church, combined with civil and religious liberty, admitting all religions to a community of civil rights. This was, if he recollected it right, the language the right hon. Gentleman had inscribed on the banners, when he led them on to victory, in the cause of religious liberty. That language had gone forth into every part of the kingdom; and the Parliament had then declared—in 1828 and 1829—that these principles were the basis of our Ecclesiastical Law. He felt as great respect for some of the Gentlemen from whom he differed on that occasion as for any men living; but he must say, that those who had then adopted this principle, and should not now carry it into full effect, would find, as stated by his hon. friend, the member for Calne, (Mr. Macauley) a tenfold greater difficulty in making any specious objection to the present measure, than they would before have had; and they could not refuse to vote in favour of the present proposition, without declaring that they had abandoned the principles which they had then taken as the guides to their conduct. Did they refuse to vote for this measure it might give rise to a suspicion that their former votes were dictated by a sentiment of fear, not by a principle of justice. Would they not act on the same principle towards 40,000 Jews as towards seven millions of Catholics? The House must, however, shut out the consideration of numbers, whether of thousands or of millions. Justice, it was said, was no respecter of persons, neither was she any respecter of multitudes; her rules must be observed towards individuals, and in forming them numbers formed no elements. It would be said, did they refuse the Motion, that they had been ready to do justice to the strong but not to the weak, and that they had been formerly governed by fear, and not by those high principles which ought to guide their deliberations. By not voting for the present measure they would wantonly cast a slur on their former conduct, and while the world gave them credit for a sense of justice and impartiality, they would tell mankind that they deserved not commendation, for their conduct had been dictated by far less honourable motives. He could not conceive that any Gentleman who had voted for those two great and healing measures would oppose the Motion, and would adopt one rule for the Catholics and Dissenters, and another for the Jews. The inconveniences which, it was said, would arise from the measure, were so small that they could only be discovered by the microscopical eye of his hon. friend. For his own part, he declared that the only difficulty he had ever had in considering the subject before he came into the House that night, was, to find out an argument which must be urged against the measure, in order that he might be prepared to answer it. He could find none, and had been so perplexed to discover even the shadow of an argument, that he had said to a friend that he would advertise a reward for one, that he might get it to refute. He might safely, he thought even with his small fortune have advertised a large reward, and have been sure of not finding one. His hon. friend had greatly surprised him by the number of topics he had adverted to, and by the length of his speech; but he must be permitted to say, that he had discovered in it nearly as few arguments against the measure as he had anticipated. Into all the considerations connected with religion, which had been urged by his hon. friend, he did not mean to enter; but there were one or two remarks which he thought deserving of the attention of the House. When a state or a legislature called itself Christian, it supplied all mankind with a test by which to judge of its professions and its conduct. To do good unto all men, and to love one's neighbour as one's self, were vital principles of Christianity. To do good to a whole community, and in doing that, to do good to all mankind—for the benefit of the emancipation would not be limited to the Jews, while no evils could arise from it to any other persons—was undoubtedly a Christian duty, and so sacred, that he might say, it had been placed by the Divine Author of our religion amongst his first precepts. "Love thy neighbour as thyself" was one of the chief principles of that religion: and who, according to its Divine Author, was to be considered as our neighbour? He begged the House to recollect the commentary on that word. From whom did the Founder of Christianity choose an example, to mark the universality of the benevolence which was the spirit of his religion? He did not take as the illustration what was righteous in the eyes of the people, what was beautiful, and what was admired by them; he selected a heretic, the follower of a sect hated, held in abhorrence even by the people to whom he addressed himself, as the model of a good neighbour. He inculcated the divine precepts of his religion, and the great duties of life, particularly the noble duty of charity, by selecting a man who was contemned by the Jews. The plain precept which directed us to minister to the wants of each other was one of the best tests of the true Christian, and a safer guide for the conduct of life, than obscure comments on a doubtful text, or mysterious prophecies. Let us, he would say in conclusion, love our neighbour as ourselves, and do not let us withhold from him any benefit or any franchise it is in our power to bestow, though he may be as great an abomination to us as were the Samaritans to the Jews.

The *Chancellor of the Exchequer* said, if he could consider that it would be a departure from the principles of the bill of last year to oppose the present measure, he should be one of the last to oppose it; but he was of opinion it stood on very different grounds from that measure. He could not view the subject in the same light as the right hon. Gentleman who had just addressed the House. He considered that there was a great and broad distinction between the parties to the measures of last year and those who were now claiming the indulgence of the House—between the question of admitting members of the holy Christian religion to political power, and that of sharing it with those who disbelieved Christianity altogether. In opposing the measure he begged to be understood as having no prejudices against the Jews, who were, he admitted, peaceful and useful members of society; but there were considerations which should induce the House to pause, before it extended to them the privileges it had granted last year to the Catholic. The measure had nothing to do with charity, as the right hon. Gentleman had stated, but it was a claim on their part to be admitted to a share of political power. He opposed their claims, however, on grounds of expediency, as they were connected with the honest prejudices of the people, which ought to be respected, as they had arisen out of reverence for their own sacred religion. It was a question for the Parliament, worthy of its grave consideration, whether it would not be likely, by altering the oaths and the principles of admitting people into Parliament year after year, to run some risk of affronting the religious feelings of the people of this country. These feelings might be called prejudices, but they were honest prejudices, and the House might find in that a motive for respecting them. Parliament was bound to attend to the religious feelings of the people; and it was a sacred duty in the Members of that House not to conduct themselves so as to make the people believe they were indifferent to their religion. The House must be careful how it, by new measures of liberality so speedily after former measures of liberality, begot an impression in the country that it was indifferent to all religion. He had listened with great pleasure, as he always did to his hon. friend, the member for Fortrose, but he could not find in his speech any argument to encourage the House to give political power to a set of men who contradicted the Christian faith. His hon. friend had stated that they had, by late acts of the Legislature, admitted the Catholics and some Protestant sects, not interested in supporting the Established Church, to seats in the Legislature; and why not the Jews? He, for his part, did not think this a good argument. It had been the constant practice of the Legislature to protect Christianity, under some of its forms, in all their enactments. If his hon.

friend's argument, however, were just, it ought not to stop at the Jews; and he was bound to push it so far as to maintain that all sorts of sects, as soon as they grew into notice, might claim a seat in Parliament. His measure ought, therefore, to have gone further. If the House were prepared to open the doors of Parliament to the Jews, they might open them to the Turks, and to the members of every other religion. If the case of the Jews were similar to that of the Catholics and that of the Dissenters he should not oppose it, but he did not think the cases similar. He thought that the House ran a great risk of weakening the confidence of the people in Parliament, by continually altering the laws, by which persons were admitted to occupy seats in that House; and, as he had before said, of inducing the people to believe that the Parliament was indifferent altogether to religion. He was afraid, too, that making all such propositions was running counter to the good feelings of the people, the majority of whom he had no doubt were opposed to the measure. There was this difference between the Jews and the Catholics—that the Catholics had shed their blood for us—they had fought our battles both by sea and land—they had swelled the force of our fleets and our armies, and there was a good reason why we should not make enemies of those who had served us, and who amounted to seven million people. But the Jews had not fought our battles—they had not served in our armies and navy, and they did not amount, it was stated by a writer of their own nation, to more than 27,000 persons. The arguments which applied to the Roman Catholics seemed to him, therefore, to have no application to the Jews. The relief given to the one was no precedent for granting the claims of the other. The right hon. Gentleman concluded by declaring that, as he did not wish to oppose the general religious feelings of the country, he should oppose the Motion.

Dr. *Lushington* said, if he thought the Motion likely to beget an impression among the people that the Parliament was indifferent to Christianity, he should find great difficulty in agreeing to the principle of the measure. But whether he looked to the principles of the Motion of his hon. and learned friend, or whether he looked to the conduct of the people since notice was given that it was the intention of his hon. friend to bring forward such a Motion, he was satisfied that the country did not regard it in the light described by the right hon. Gentleman. It was then between six and seven weeks since his hon. and learned friend had given notice of his Motion; that notice had been wafted from one end of the kingdom to another, and yet not one petition against granting the prayers of the Jews had been laid on the Table of the House. No, not even a rumour of a petition had reached it. When he saw this, and recollected how numerous were the petitions against the Catholics—when he recollected what a great interest their emancipation excited throughout the country—when he saw how quiescent at present the country was—he must say, that he saw no sign whatever of the prevalence of those feelings the right hon. Gentleman had attributed to the country. He would say that the Jews were at present, in this country, in an anomalous condition, such as no people ever were in, in a country that pretended to good order. Few persons were, probably, aware that Jews could now hold advowsons; and what was perhaps more extraordinary, it appeared by a decree lately given by the Earl of Eldon, that they were capable of electing clergymen. In those cases in which the clergyman was elected by his parishioners, it had been decided by Lord Eldon, after two years consideration that Jews paying parish rates were entitled, as well as other parishioners, as well as members of the Protestant church, to vote for the Protestant clergyman. The hon. Baronet, the member for the University of Oxford (Sir R. Inglis) had cited what he very properly considered a great law authority in proof of his opinion, that the Jews were not to be considered as entitled to hold the same rank as the Christians. But did the hon. Baronet know in what light that opinion of Lord Coke was regarded by his countrymen? Did he know that in the reign of George 2nd an attempt was made to cite that opinion in argument, and the whole Bar of the King's Bench, with the Chief Justice at their head, exclaimed at once—"For the honour of that great and truly learned man, and for the sake of the respect due to his memory, do not quote a passage which, above all other things, has most detracted from his character and understanding." The great principle of the Constitution of this country, it had been also contended was Christianity. Now, in the good old times of Popery, was Christianity the principle of the Constitution? No, the religion of the State was the religion of the Pope for the time being, and up to the reign of William 3rd, the principle of the Constitution, and the religion of the State were direct intoleration, without the slightest regard to the religious opinions of others. To so great an extent, indeed, was this carried, and so little was the establishment of our religion thought of, that an individual who lived through two or three reigns was actually obliged to change his religion eight different times. The individual to whom he alluded was old Parr, who attained the great age of above 150 years, and who was forced to change his creed eight times by the terror of various punishments. The right hon. Gentleman opposite (the Chancellor of the Exchequer) seemed to think that the admission of the Jews to that House would have the effect of injuring the Established Church, by raising an opinion that the Members of that House were wholly indifferent to religion. His opinion, on the contrary, was, that the Established Religion was too well fixed in the affections of the people to require the aid of exclusion to secure it. They were told, however, that the case of the Catholics formed no precedent which could govern them in dealing with the Jews. That they were only 27,000 in number—that they were unimportant as a body—and that there was no reason for those apprehensions with regard to them which formed so strong an argument for the removal of exclusion from the others. He considered it to be most unfortunate and most lamentable that the opponents of the measure should be compelled to resort to such arguments, and he deplored the existence of a feeling which would seek to resist a measure of justice until it came before them under circumstances so suspicious. If, however, the number of the Jews was so small, and their influence so bounded, that there could be no danger in refusal, what possible danger could there be in admission? He was reluctant to press on the time of the House, but he thought the period was arrived when, without any violation of the principles of the Constitution, they could grant what the Jews required, with safety to the Established Church, and with satisfaction to those who prayed this concession. The right hon. Gentleman had declared repeatedly, that he was unwilling to allow the Jews to be admitted to that House. That he could not well understand, for he believed the right hon. Gentleman was by no means unwilling to meet the Jews elsewhere, and the time was not far distant when he would more than ever require their assistance. The right hon. Gentleman seemed unwilling to trust them in Parliament, and yet they had been intrusted with affairs ten thousand times more important than any connected with the possession of a seat in that House. The Jews desired nothing more than to be placed in the same situation as the Roman Catholics. They were willing even to abandon a part of what they already possessed, in order to obtain the same privileges as the Catholics. They were willing to give up the possession of their advowsons, and some other privileges; and for these reasons he thought that those who were not friendly to the Jews would act at least more liberally if they permitted the Bill to be brought in, and obtained some understanding of its provisions, before they declared against it a determined hostility.

Mr. *Perceval* entreated the House, in the name of the Lord Jesus Christ, to preserve the religion of Christianity—the religion of the State—from being defiled by the introduction of the Bill now proposed. If they wished to preserve the name of a Christian people—if they were anxious to support the distinctions of their Christian Constitution, he implored them to reject a measure which gave political power to a sect whose religion was hostile to both. Without trying to reconcile his vote on the Roman Catholic Question with the one he should give that night, he should merely say that he resisted this bill on the great principle that its admission was inconsistent with our Christian Constitution.

Lord *Morpeth* said, that, if to justify himself in hazarding a few observations upon this subject, he had felt any hope that he should have been able to add any thing to what had already been brought forward, he had certainly better not now have risen; but he was inclined to think that upon an entirely new question the expression of a mere concurrence of opinion might be of some use, from however humble a Member of that House, though it added nothing in point of argument. The effect of argument might safely be left to the speech of his hon. and learned friend, the very circumstance of whose introducing this measure had conferred much benefit upon it—much by his great powers of mind, and much by his blameless character. An objection, anticipated indeed by his hon. and learned friend, had been taken upon a religious ground, and to that he would confine himself, because the arguments of any other kind had been already answered in an able manner by those who preceded him. In his opinion, indeed, all who paid taxes to the State, and contributed to the wages of the public servants, were entitled to the enjoyment of all civil rights. Against the measure, on religious grounds, there were arrayed the right hon. Gentleman (the Chancellor of the Exchequer), the hon. Gentleman who spoke last (Mr. Perceval), and the hon. Baronet, the member for the University of Oxford (Sir R. Inglis). To the last hon. Member he would say, "Educated at that University like the worthy Baronet, nursed like him in its discipline, and attached like him to its recollections, I am never sorry to have an opportunity of showing, that the spirit of hostility to the broad principle of religious freedom which pervades the parliamentary conduct of the worthy Baronet is not the inevitable result of a residence within its walls. And I am the more anxious to guard myself in every instance against such a disposition, because I believe it in fact to be the same spirit which, modified in this instance by the genius of the age and the mildness of his nature, formerly in every quarter of Christendom prompted every species of oppression against the persecuted Jew, and thought it virtue." It was foretold by the Author of the religion in the profession of which we are so inclined to vaunt ourselves, that, He came not to send peace on earth, but a sword, and the passions of mankind have interpreted the prophecy as if it had been a command. The opposition of the Chancellor of the Exchequer went altogether to the appearance which he thought the House would present, of conceding this measure, and not to the principles on which it was founded; but if they must be intolerant he trusted that it would be on grounds less mean and pitiful than those stated by the right hon. Gentleman that night. The right hon. Gentleman had stated, and he was seconded in it by the member for Oxford, that if the measure was conceded, the Constitution of the country would cease to be exclusively Christian. This proposition was startling at first; but he apprehended it would be found that it was addressed more for love of sound than with a regard to the sense of the House. For his part he could not understand how the admission of a few Jews to their share in the privileges of the Constitution could render that Church less eminent or less powerful; but he could understand that a system of exclusion, and of meddling interference, would render any party both powerful and mischievous. We were not disposed to look upon either France, or Holland, or America, as being less of Christian countries, since they had adopted the great principle of making the discharge of civil functions independent of a prescribed religious belief; not, undoubtedly, because we did not recognise the importance of religious belief, but because that importance was so infinite as to make all human interference with it as inadequate as it was presumptuous. It had been contended by the hon. member for Oxford, that the numbers of the Jews prevented the possibility of their admission to political power. He (Lord Morpeth) could not imagine any thing more likely to favour their cause than a consideration of numbers, and he might say—"I thank you, Jew, for teaching me that word."—He wished to ask where, in this case, was the danger? One of the chief reasons which had made him so anxiously wish, and so sincerely rejoice in the accomplishment of the great measure of Catholic relief, was the assurance he felt that Protestantism would not suffer from its more close alliance in temporal matters with Catholicism; still less has Christianity itself—the faith which unites Protestant, and Catholic, and Greek under her common banner—planted upon the rock that shall never crumble—any thing to dread from any possible result of the measure which has been so convincingly recommended.

The *Solicitor General* said, that the situation of the Jews had been more than once likened to that of the Roman Catholics, although it appeared to him there was a wide and material difference between them. The Catholics had possessed great power and privileges, of which they had been, for good reasons, deprived; and it did great honour to those who, studying well the circumstances of the country, had restored them to the situation they before had held. But how did the case of the Jews stand? They had possessed nothing; they held nothing. They had no civil rights; they never had any. He looked with as much abhorrence as any man, and deplored as much as any man the atrocities once perpetrated against them; but he could not, therefore, be insensible to the nature of their situation in this country. They had no natural rights; and Lord

Coke, although he agreed with the hon. and learned Gentleman (Dr. Lushington) in a manner not very creditable to his character, had declared they were the natural enemies of the Christians: such a sentiment was however a greater disgrace to his age than to Lord Coke. After sustaining great persecutions, they were banished altogether; and when they returned at the Restoration in small numbers, they returned as men who were not permitted to claim any rights of citizenship, or to hold lands, or in any manner to be received as subjects of the State. As they chose, however, to come back in this manner, and under these circumstances, it was impossible to deal harshly with them, or to subject them to the same restrictions and persecutions in modern times which they had suffered before their banishment. Nothing, he was ready to admit, could well justify the code of laws enacted with regard to the Catholics, who were deprived of rights they had formerly enjoyed; but against the Jews, with the exception of an Act passed in the reign of Queen Anne, which permitted a child who became a convert to Christianity to take his parents' property by succession, in defiance of his wishes—an act not carried into effect beyond one or two instances, no statutes had been expressly directed. They came, then, to this country without any of the rights of citizens, but how differently were they now situated? Their religion was tolerated, and they were protected. They had a right to sepulture, their marriages were legal, their children were legitimate, and they could take by descent; they could purchase land, and they could transmit it to their posterity. He knew that a doubt had been expressed whether or not the Jews could hold land but in his opinion, they had as much and as good a legal right to hold land, and to take and leave it by descent, as any other person in the country. If there was any doubt on the subject, although he thought there was not, he should be glad to see those doubts removed by a bill brought in for that purpose: he should be happy to see the Jews become landholders; he should rejoice to see them become country gentlemen. On the other grounds, however, he confessed he saw objections to the admission of the Jews. Christianity was a part of the law of the land, although he was told that it varied with the opinions of the day; still, with all the variations of creeds and opinions, it was Christianity. The question seemed to be this: The door of the Constitution has been opened to the Catholics of Ireland: were they, therefore, prepared to admit other claimants? They were now come to this point: were they or were they not to put an end to all distinctions on the subject of religious opinions? It was said that there were no petitions against it from the people. He, for one, was glad there were no petitions, and that such popular ferments as those of 1753 would not again disgrace the country. He wished the question to be decided by the good sense of the House; and he thought the absence of these petitions one of the most favourable signs of the increasing knowledge of the time. It had been said by the hon. Member (Mr. Macauley) who had that night addressed the House for the first time with great credit to himself, that it was our own fault that the Jews were not Englishmen; and he would admit that we were much to blame if any legislation could make them Englishmen. But they had a peculiar character stamped on them by their own institutions, they were severed by them from all other people, they could not form a component part of any society in which they might be mingled; and as our laws had not made them Jews, they could not make them Englishmen. They married not with Christians, and entered not into any of those relations with the rest of the community which constituted family ties, and were the real bonds of society. No such objections applied to the Catholics; they intermarried with other sects; they formed part of the great family of Englishmen, and were interested in the country as well as in their own moveable property. Would hon. Members be ready to associate with Jews on that familiar footing which would be necessary if they were in office? He believed not; and he therefore, for one, would not allow the law to say they were worthy of those privileges which the common sense of the community at large, and the general feelings even of those who advocated their cause would in practice deny them. He was not disposed to emancipate the Jews in part. He would not open the door of the Constitution while the feelings of the people placed a sentinel at the gate? The arguments drawn in favour of the Motion from concessions to the Catholics, it would be seen did not apply to this Motion but if they did, he would say, true they had admitted the Catholics to participate in the advantages of the Constitution, but they had not yet sufficient experience of the result. They had opened the door to office, and to that House, but there was not yet time for the Catholic to obtain office as he must attain it; and therefore, although the state of Ireland might be benefitted, they did not yet know the full value of the experiment. In the absence, therefore, of any sufficient knowledge of what they had done, he, for one, was not willing to go further, and place the Jews in that House, or admit them to the opportunity of being placed in the high offices of the State; and in this respect, although he did not attach much importance to the question of numbers, still it was not to be left wholly out of consideration.

Mr. *W. Smith* maintained, that if it were desirable that the Jews should at any time be admitted within the pale of the Constitution, it was desirable that they should be admitted with as little delay as possible. He must beg to express, not merely his approbation, but his admiration of the manner in which his hon. friend had brought forward the present Motion. He admired both the sincerity and courage of his hon. friend; and he had evinced both those qualities in the highest degree. Religion ought not, in his opinion, to be introduced into any question similar to the present, which was a question, not of religion, but of politics. Let those who introduced it recollect a passage in the book which they so justly revered—"Render unto Cæsar the things which are Cæsar's;" and then came the grand distinction—"and unto God the things which are God's." On all points of religion he would leave men to their own consciences. As to political considerations, he wished to know in what times had the Jews evinced any inclination towards such political principles as ought to prevent them from having a share in the civil rights enjoyed by their fellow subjects? He had never heard of any such case. He had heard, indeed, of their having engaged to furnish loans for other countries than those in which they lived. If, however, they had not the patriotic feeling which would prevent such a transaction, the imputation rested, not on them, but on the governments which withheld from them those civil rights and privileges which alone rendered a man's country dear to him. He recollected an hon. Member, who had that evening opposed the Motion, and from whose good sense he should have expected a different line of conduct, declared in the last Session of Parliament that when once a dozen Catholic Members were introduced into the House, it would be for the supreme power of the State to take care of the Church of England, but that, for his own part, he should consider it as gone. That hon. Member must believe the Church of England to be founded on a very tottering basis if the introduction into the House of Commons of a dozen Catholics or Jews was calculated to lead to its destruction. He (Mr. W. Smith) was one of those who thought that political rights and privileges should have nothing to do with religion. But if he were asked whether they should not have any thing to do with any part of religion, he should answer that religion was divided into two distinct parts, the moral and the Creed. If Government were to have any thing whatever to do with religion, it ought to be with the moral portion of it, and not at all with the Creed. What was the morality of the Jews? The morality of the Christians. What Church was there belonging to the establishment which had not the Ten Commandments, the morality of the Jews, side by side with the Creed? If any rational man saw the Commandments and the Athanasian Creed thus in juxtaposition, was it doubtful to which he would give the preference? To the question of morality, therefore, they ought, in his opinion, to confine themselves. If they extended their consideration to matters of faith, no one could tell where they would stop. If they looked only at civil obedience, there was no danger of their falling into political error. He trusted the House would follow the sound advice given them by his hon. friend, and perfect the great work of the last Session.

Mr. *R. Grant* said, he would make a very short reply. It had been allowed by every one that the loyalty and excellent conduct of the Jews were unexceptionable. No man, not even the right hon. Gentleman, had thrown any imputation upon them. It was quite unnecessary, therefore, for him to trouble the House at any length; for he appealed to every unprejudiced person who heard him, if any subject had ever been more victoriously argued than the Motion had been by those hon. Members who had supported it. It was perfectly evident, indeed, that their arguments were unanswerable. The great objection of those who opposed the Motion seemed to consist in the phrase, "they are Jews; we are Christians." Now, in his opinion, the very reason for admitting the objects of his Motion into a full participation of the civil rights of their countrymen was, that they were Jews, and that we were Christians. He did not wish to say anything disrespectful of the right hon. Gentleman, but the exposition of the right hon. Gentleman's reasons for opposing the Motion appeared to him to be most extraordinary. The greater part of the right hon. Gentleman's speech ought to have been pronounced three years ago. That the prejudices of the people ought not to be shocked, that the national feeling was adverse to the proposition, that the existing law was excellent, that the religion of the State would be endangered by any change; all these were the allegations which, year after year, during a long course of years, had been advanced with fluency in hostility to the great measure which, nevertheless, had last year been triumphant. He would not answer these allegations in the present instance; he would simply recommend the right hon. Gentleman to consult the Parliamentary Reports of his own speeches. What! after the Catholic question had been so decided, were they to permit the present question to pass through a period of similar agitation? Were they to discuss it for thirty years, and at the expiration of that period were the survivors to be told that the occupiers of the Treasury Bench saw their error, and that they agreed to toleration for ever? The right hon. Gentleman said, that the House must consult the prejudices of the people. Did the right hon. Gentleman recollect that a few years ago the people thought that Jews should be tortured, that they should be deprived of their property, that their wives and children should be torn from them, that they should be expelled from the country? Ought those prejudices of the people to have been consulted? But he (Mr. Grant) asked what right the right hon. Gentleman had to charge the people of England with such prejudices at the present day? He called upon the right hon. Gentleman to state in what instance the people of England had recently shown any prejudice against the Jews. If the right hon. Gentleman could not state any such instance, was he not calumniating the people of England, in charging them with a prejudice from which they were free? He could not, however, believe that the opinion which had been expressed by the right hon. Gentleman was the result of his deliberate judgement. In comparing the question of Emancipation, as it affected the Catholics and as it affected the Jews, the question appeared to him to resolve itself simply into this:—Were they to say to the Jews, "You have as strong claims upon us for emancipation as the Catholics had, but we will not grant it to you, because you are not so powerful as they were?" He called upon the House, after what they had so recently done in the cause of religious freedom, not to disgrace themselves by throwing out the present proposition, even without consideration. He called upon them at least not to resist the discussion of the question. He called upon them to be just to those who asked for their rights, but who were not in a condition to compel their surrender.

The House then divided—for the Motion 115; Against it 97: Majority 18.

Mr. Grant then brought in the Bill, which was read a first time.

HOUSE OF LORDS.

Tuesday, April 6.

MINUTES.] Petitions were presented by Lord WHARNCLIFFE, from Avondale, in the East Riding of Yorkshire, and from Musfield, in the West Riding, for the holding of Assizes in Wakefield, in that county. Against renewing the East India Company's Charter, and for opening the trade with China, from Dundee by Lord WHARNCLIFFE, and from Arbroath, by Lord HOLLAND;—and by the same noble Lord from Charles Cannon, householder of St. George's parish, against the St. George's and St. Giles's Vestry Bill.

Returns Ordered. On the Motion of the Marquis of BUTE, of the quantity of Coals exported from Newport and Cardiff, (Monmouthshire) to Bristol, between 1792 and 1797, between 1797 and 1803, and between 1803 and 1830.

EAST RETFORD DISFRANCHISEMENT BILL.] The Earl of Carnarvon presented a Petition from certain voters in East Retford against this Bill.

The Marquis of *Salisbury* took the opportunity of saying, that he begged leave to postpone the second reading of the Bill till the 3rd of May. The noble marquis said, he did so at the request of a noble Duke (Newcastle, as we understood), who had a deep interest in the measure, and who feared his inability to attend on the day for which the second reading was now fixed, from indisposition.

Lord *Holland* did not wish to directly oppose the postponement suggested by the noble Marquis, but to put it to him whether the discussion of a great public question, in which great public interests were involved, should be deferred, solely to suit the personal convenience of any individual, however interested. There were a great number of witnesses to be examined, and if the measure were postponed, it might not be completed during the Session.

The Earl of *Malmesbury* thought, with

the noble Baron, that the Bill had already been too long on the Table, and that it ought not to be further postponed.

The Marquis of Salisbury withdrew his Motion.

PREVENTION OF SMUGGLING BILL.] Lord Melville moved the Order of the Day for the committal of this Bill.

The Earl of *Malmesbury* was anxious to take advantage of that occasion to protest, not against the Bill, but against the practice which made it necessary. Their Lordships were aware that at present, service in the Navy was made a punishment for smuggling, and the Bill compelled the smuggler serving in the Navy to allot a moiety of his pay for the support of his family. To that he had no objection, in fact it was necessary; but he objected to punishing smugglers in that manner. The principle was highly objectionable, and could only have the effect of throwing a stigma on a highly honourable service. What brother seaman but must feel humiliated when he sees a profession to which he had devoted his best energies, and in which were embarked his best hopes and aspirations, thus dishonoured by being made a punishment for offences against the laws of this country? He had resisted the application of the same objectionable principle to the punishment of poachers, who, it was proposed, should be forced into the Army. He hoped the noble Lord would remedy this defect, and thereby prevent a stigma being thrown on a highly honourable profession.

Lord *Melville*, in answer to the noble Earl, begged leave to state that this punishment of the crime of smuggling was only inflicted on those smugglers who had been at sea previous to the commission of their offence. To no other class of smugglers did it apply. He should be happy to support any measure which would put an end to smuggling. or provide a better method of disposing of the smuggler, but that question was not then before their Lordships. The present Bill was made necessary by the law as it stood and would be an improvement.

The Earl of *Malmesbury* said, he objected to the system altogether. A man was caught smuggling, he was asked whether he was a sailor or not, and if he answered yes, he was sent to a King's ship. This was degrading the King's service, and therefore he objected to it.

The Bill then went through the Committee.

HOUSE OF COMMONS.

Tuesday, April 6.

MINUTES.] Mr. CALCRAFT brought up a Report from the Committee on the Beer Trade, and gave notice, that on Thursday next he would move for leave to bring in a Bill founded upon this Report, and he would then explain the plan pointed out by the Committee for establishing a Free Trade in Beer.—Report to be Printed. Mr. POULETT THOMSON brought in a Bill to alter the Usury Laws. Mr. SPRING RICE, on the part of his right hon. friend, Sir J. MACKINTOSH, brought in a Bill to indemnify parties who suffered by the insolvency of Mr. GILBERT RICKETTS, late Registrar at Madras.

[Mr. *Astell* said, that he formerly objected to a bill of this kind, but he now understood that the Bill had been much altered from that of last year. He would not now oppose its introduction, but would reserve to himself the power of opposing it hereafter as he should think proper, when more fully acquainted with its details.]

The Fever Hospitals (Ireland) Bill was read a third time and passed. The East Retford Witnesses Indemnity Bill was read a second time.

Returns laid on the Table. Number of Bankrupt Petitions set down for hearing before the LORD CHANCELLOR and before the VICE CHANCELLOR and unheard on the 30th of March last. Report from the Commissioners of Woods and Forests to the Treasury relative to Dean Forest.

Returns Ordered. On the Motion of Mr. BONHAM CARTER, of the money expended by the Victualling Office since June 1827, for buildings at Weevil; the expense of removing the Victualling establishment from Portsmouth to Weevil; the sums for which the old premises at Portsmouth have been let or sold, and of the number of persons reduced in consequence of the removal of the establishment:—On the Motion of Mr. HUSKISSON, the Amount of Exchequer Bills now held by the Bank of England; for a Copy of the contract for any Loan for the Completion of London Bridge; an Account of all Distributions by the Bank of England among the Proprietors of Bank Stock since 1797; and of the whole of the Dividends paid on increased Capital since 1816:—On the Motion of Mr. ALEXANDER DAWSON of the expense incurred by the Ballast Office Corporation, in erecting a patent slip at the North Wall, Dublin; with the number of vessels repaired thereon;—On the Motion of Mr. POULETT THOMSON, of the average quantities of various articles, such as Silk, Wool, Flax Hemp, &c. imported from January 5, 1783, to January 5, 1830, in periods of three years; of the amount of Stamp Duties received on Policies of Insurance, Fire and Marine, on an average of the years ending 1783, 1793, 1815 and 1830; of the British and foreign tonnage entered inwards at the same periods:—On the Motion of Mr. WARBURTON, an humble address was ordered to be presented to his Majesty, praying that his Majesty would be graciously pleased to direct our Consuls at St. Petersburg to furnish all the information they might be able to obtain respecting the amount of precious metals raised in Russia from 1820 to the present time;—On the Motion of Mr. BRIGHT, the sums received in 1829 on each article contained in the various Schedules to the Stamp Acts:—On the Motion of the CHANCELLOR of the EXCHEQUER, a Copy of the condition on which Lands are granted in the North American Colonies, and Colonies of New South Wales and Van Diemen's Land.

Petitions presented. Against a Free Trade in Beer;—by Mr. HUSKISSON, from the Licensed Victuallers of Liverpool;—By Mr. H. BATLEY, from the Licensed Victuallers of Beverley. Against the renewal of the East

India Company's Charter, by Mr. HENRY SEYMOUR, from the inhabitants of Taunton:—By Mr. SPRING RICE, from Ayr; and from the clothing district of Horbury, of Checkhealion, Birstall, Bramley and Morley. For a Repeal of the clause of Act 31 George 3rd, which interferes with the Medical Profession in Ireland, by Mr. SPRING RICE from the Apothecaries of Bandon. For the Poor Laws Amendment Bill, by Mr. C. PALLMER, from the Select Vestry of Richmond, Surrey. For a Revision of the Criminal Code by Mr. WILLIAM SMITH, from the Congregation of Unitarians at South-place Finsbury-square: by the same hon. Gentleman, from certain Manufacturers of Sweets or British Wine, complaining of the effects of the present system of Licences, and praying for its revision. For a remission of Taxation by the Marquis of BLANDFORD, from the inhabitants of Saint Leonard's Shoreditch;—By Mr. SPRING RICE, from the weavers of Limerick. For an investigation into the Election Laws of Ireland, by Colonel O'GRADY, from VALENTINE BLAKE, Esq. against the duty on Coals, by Mr. SPRING RICE, from the parish of Saint Andrew's, Dublin.

LORD ELLENBOROUGH'S DIVORCE BILL.] Sir *G. Clerk.*—Sir, I rise to move the Order of the Day for the third reading of Lord Ellenborough's Divorce Bill.

The Order was accordingly read, and the Speaker then put the question that this Bill be now read a third time.

Mr. *Hume.*—Sir, I am not well aware what course I ought exactly to take on the present occasion, because I have two objects in view upon which I still want explanation; one is, to see if further information can be afforded to supply the evidence which appears to me to be wanting here; and the other is to reconcile, if it can be reconciled, the contradictory evidence we have upon our minutes respecting this Bill; for as it stands, it certainly does not warrant us in granting the redress which is prayed. If by adjourning the third reading of this Bill, or by any other course which can be suggested by the hon. Gentlemen who have charge of it, we can obtain these objects,—if there can be any mode supplied of filling up the blanks which exist in the evidence,—I am ready to adopt that mode. I will state to the House what I conceive really to be wanting in the case before us. In the first place, it appears to me that not only has the preamble of the Bill not been proved, but it has been disproved by the evidence: so clearly so, indeed, that I apprehend it to be quite impossible we can pass this Bill while such glaring inconsistencies exist upon the face of its averments. The preamble states, that the parties, up to the time when these discoveries were made, were cohabiting together in a state of connubial happiness. Now, we have it from Miss Steele, in a part of her evidence, that this was not the case; and that Lord and Lady Ellenborough had not cohabited together for months before the time alluded to. They slept in separate beds; and if the evidence of Miss Steele is to go for any thing, Lord Ellenborough did not cohabit with his lady, as the preamble sets forth. Therefore, with the circumstance of the preamble not being proved, but, on the contrary, as I have before said, disproved, it is impossible we can pass this Bill, while it is charged with such glaring inconsistencies. The House will recollect what was deposed by Miss Steele, the lady to whom Lady Ellenborough is represented to have made what may be called her confession,—the fact of her pregnancy, which, as she said, would soon become visible, and could not be concealed from Lord Ellenborough. This showed they had not cohabited together for some previous time, which was in direct variance with the terms of the preamble of the Bill, which said that their cohabitation, as man and wife, had gone on till, I think, May 1829. Surely this one discrepancy alone ought to dictate an adjournment of the further proceedings in the Bill, to see if sufficient explanation were forthcoming by the means of other evidence. Another part of the preamble states, that by the adultery of the said Janet Elizabeth, Edward Baron Ellenborough had been deprived of the comforts of matrimony. Have we not evidence in the very teeth of this averment, that he had previously, of his own accord, deprived himself of the comforts of matrimony? They had separated themselves from each other's intercourse, apparently by mutual consent, and it was evident that for many months before May, 1829, Lord Ellenborough had of his own accord, I say, withdrawn from the enjoyment of these domestic comforts. These two matters, then, require, as I think, that we should adjourn the third reading of this Bill, to let in, if possible, further explanatory evidence. I do not know whether I have made myself sufficiently understood. If I have, what I wish to ask is, whether either of the hon. Gentlemen opposite think it necessary to ask further time to adduce explanatory evidence to support the two main allegations, which appear to me not only unsupported, but entirely contradicted by the evidence as it now stands. If they do wish to produce fresh evidence, I have no wish to press the subject further at this moment; if they do not, I shall consider it my duty to state my objections generally to the Bill in its present form, and to show how utterly undeserving of attention the evidence for it appears; and then I shall call upon you to do justice to the public, and prevent such a measure from passing into a law.

Sir *G. Clerk.*—I have no hesitation in informing the hon. member for Montrose, that we have no intention to produce further evidence in support of the preamble of this Bill; and indeed, I believe the hon. Member is himself the only Member of this House who does not think the evidence already adduced sufficient. He was told the other night, that we had all the servants here, if any hon. Member wished for a further examination of them; but he started no doubt of this kind then, and now his whole objection is, that the parties had not slept together as man and wife for a short period,—a circumstance which, he says, is inconsistent with the preamble of the Bill. I do not see that any such inconsistency is furnished by a temporary arrangement of the nature alluded to, while the parties were living on terms of affection at that time, under the same roof.

Mr. *Hume* said, that as they were, it appeared, to have no further evidence, and as the hon. Gentleman saw no inconsistency in the discrepancies which he had stated to him, it only remained for him to proceed in his statement of the reasons why he thought they ought not to pass the Bill, and why Lord Ellenborough was not in a situation to be entitled to the redress which it went to confer. He had already shown that the preamble was notoriously contradicted by the facts stated in evidence. The proof was clear, that he and Lady Ellenborough, instead of living together as man and wife, had been for several months occupying distinct apartments, and living as it were separate. The preamble avers that Lord Ellenborough has, by his wife's act, lost the comforts of matrimony, and therefore he hopes Parliament will grant him the relief of this Bill. It is proved most decidedly, that he had not been in the possession of the comforts of which he spoke, and that could be shown by the evidence of the letter marked "Saturday night," without date or post-mark, but which must be supposed to have been written about the time of the separation, and in that there was nothing to show his wife's affections to have been estranged from him, but the contrary. It seemed, then, that it was in May Lord Ellenborough had separated from his lady, for their mutual accommodation. He acquiesced in, if he did not dictate that separation, according to that letter of Saturday night, in which her ladyship says, that in act she was innocent, and adds these words, "Those feelings of honour which I still retain towards you, make me still acquiesce in your decision." This showed that the separation was imposed upon her by Lord Ellenborough, and if so, what right had he to say that he had been wrongfully deprived of his domestic comforts? Further on in the letter, it is quite manifest that she by no means desires this separation; for she adds, "ought not time, solitude, and change of scene, to be tried by me, to conquer or obliterate sentiments so inimical to our mutual peace?" What did any man gather from these words? They were living as man and wife, under the same roof at least; he dictated her separation,—he made no allegation against her: how then could his Lordship pretend, when he had voluntarily separated from his Lady, that he had been deprived of the comforts of matrimony? According to the evidence, it was plain that Lord Ellenborough could not be deprived of what he had not previously possessed. He believed that an allowance was then fixed on Lady Ellenborough—that a liberal settlement was then made on her Ladyship, and that the expressions of gratitude in that letter were on account of the liberal settlement. He was satisfied that the settlement was the result of a mutual agreement. If that were the case, there were peculiar circumstances for the consideration of the House. Other individuals, when they came before the House with a claim to have their marriage dissolved by Act of Parliament, and to be released from the wife whose affections they had lost, went first of all into a Court of Law. There the complaints were sifted by a jury of twelve men, and the husband was obliged to satisfy them that his loss was not owing to his own fault, but to the artifices of others, or to the evil disposition and passions of his wife. He was then placed in a situation where all his allegations could be proved, and all the evidence he brought be sifted. He must make out a case that he had been deprived of his wife's society—not that he had voluntarily relinquished it. In this case, however, there had been no such sifting, and there was no such evidence. The letter to which he had already referred, showed that the comforts of matrimony had been given up by Lord Ellenborough's own act. This was for him a sufficient consideration to show that the Bill ought not to pass. He called on the House to reflect on the situation in which the people of this country would be placed if that House should take upon itself to release individuals from the engagement of matrimony without witnesses being called to show that all the duties of that state had been fulfilled. Under the most favourable circumstances, that House was ill calculated to prosecute such an inquiry. He called on them to consider in what state the people would be placed if they decided such question, when the parties had not been before a jury court. He believed that in the Consistory Court, if the fact of the adultery were proved, the Judge was bound to pronounce for the divorce; but not so at common law. There the individual stated his grievance; but there the evidence was subjected to be cross-examined, and the truth could be elicited, and the party obtained no relief unless he could show that he had done nothing to place himself in the situation for which he sought redress. He was sure that in such a Court it would be found, from the evidence already adduced, that the preamble to the Bill had not been proved. There were many duties which a husband was bound to render to his wife, and which a court was bound to exact. In this country the faults of a woman were visited with a severe punishment — she was banished for one fault from society—but the faults of the husband were overlooked. He did not say how far that was good or bad; but it was not equitable or just, perhaps, that the woman should be so treated. He trusted that when females were thus exposed to what he might call a hostile inquisition, they would always find, as they ought to find, protectors. It was the business of the husband to take care that his wife had not access to evil companions, and to protect her against moral contagion. What was the situation of Lord Ellenborough, and his conduct in these respects? Lord Ellenborough was forty-two years of age when he married his lady, a young and innocent woman, who had never been beyond her father's threshold, and who was, when she was married, only seventeen years of age, or a mere child. His Lordship's experience, previously acquired in the marriage state, should have made him take care of the almost infant mind intrusted to his keeping, and he should have guarded her carefully against the evils which necessarily beset a young person when first introduced into the gay society of London. Had Lord Ellenborough performed this duty? He had received her innocent from her father's house, and might have made her a faithful wife. Had he employed any care to guard her against the dangers to which she was exposed? Had Lord Ellenborough behaved towards his lady like a good and faithful husband? What evidence was there that he had? What proof was there of his affection? The brother of the noble Lord had been called, a gentleman who was, he believed, in the Army or the Navy, and who at any rate was abroad for a considerable period; this gentleman deposed, that he had been intimate with the family of Lord and Lady Ellenborough from the time of the marriage up to the month of March 1827; then he went abroad, and from March 1827, to March 1829, there was no evidence whatever of the terms on which the parties had lived: except some incidental admissions of Miss Steele, no one had been brought during all that interval, or between March 1827, and March 1829, to prove what had been the conduct of Lord Ellenborough. This officer returned in March 1829, and he is asked—"Then, after your return from the Mediterranean again, were you on terms of intimacy with Lord and Lady Ellenborough?—I was. Did it then appear to you that they were living on terms of affection?—Yes, it did. Did you observe any difference from those terms on which they were living at the time you left England?—No, I did not." Yet at this very time, continued the hon. Member, when this witness described them as living affectionately together, it was proved in evidence that they did not cohabit. It was proved by Miss Steele, that for many months before this period, Lord and Lady Ellenborough had not been on good terms. There were the outward bearing and appearances of affection at the very time they did not sleep together. It was a mockery to call that evidence to show how these parties had lived together. Was there no individual of all the noble Lord's acquaintance and friends who could be brought forward to fill up the gap between these two periods? Was there nobody to show that Lord Ellenborough did not visit Brighton, and there pass many months together without the company of Lady Ellenborough? Why was not Lord Ellenborough allowed to make all that clear, and exhibit proofs that Lady Ellenborough had no good reason for withdrawing herself from his protection? Wanting that evidence, was he not warranted in entertaining a strong suspicion that Lady Ellenborough had withdrawn herself from some strong and efficient reason? It appeared by the answer of Miss Steele to a question from an hon. Member, that it was at the request of Lady Ellenborough that she had ceased to cohabit with Lord Ellenborough. It was extraordinary that not one person of Lord Ellenborough's acquaintance, but a soldier, who was for some time absent from England, could be brought to prove on what terms the two parties lived. If that were not a mockery of evidence, he did not know what was. The House was bound not to pass the Bill without more proof on this part of the case; and if it were postponed, it would be possible to get such evidence as ought to be produced. It was proved, indeed, that Lady Ellenborough had been much neglected, and it was most probable that all the subsequent faults had been the consequence of that neglect. He had already stated, that Lady Ellenborough was seventeen years of age when she was married, and that Lord Ellenborough was advanced in life; he had experience, and ought to have warned her against the snares which at her tender years she was likely, without great attention, to fall into. What was his course of conduct? He trusted her entirely into her own keeping. It was said that his official duties occupied him very much, but was it possible that he should not know for three years what company his wife kept—that for three years she should be daily driving about, and he know nothing of her proceedings? It appeared that the acts on the part of her Ladyship had been noticed; she had been advertised that she was doing wrong, and the evil had not taken place without warning. The mentor, Miss Steele, who had superintended Lady Ellenborough's education, had stated that her Ladyship had been guilty of some levities; but when pressed, she could recollect none but riding out. And what was a young lady to do who was neglected—was she to stay at home all day, and from one month's end to another? In that there was no indiscretion. The witness had contradicted her own evidence. She had been asked about some companions of Lady Ellenborough's, whom she described as very low, and she was asked, "Can you state that those individuals to whom you objected as improper, were associates in the house on the invitation of Lord Ellenborough or Lady Ellenborough?—That I do not know; they were, of course, introduced by Lord Ellenborough, because they were not her associates when she was Miss Digby. Were the ladies such as were generally received in the society in which Lord Ellenborough moved?—They were. What objections had you, or why did you think their society indiscreet when they moved in the society in which Lord and Lady Ellenborough were?—I think it was one thing to see a person occasionally, and another to be very much in each other's society; and I thought that, by warning Lord Ellenborough, he might be more cautious. Will you try and recollect what warning you gave Lord Ellenborough?—Particularly about some ladies, but I cannot mention names." The witness also stated that the ladies of Lady Ellenborough's family were dissatisfied with Lord Ellenborough, for having introduced his lady to these companions. He would ask, was that, on the part of Lord Ellenborough, the conduct of a prudent man? He had introduced his lady to such dangerous society, that her late governess thought it necessary to warn him against it. What did his Lordship say when he received this warning? Did he remove his lady out of the way? No; he only laughed at it. He did not think the subject worthy of any serious attention. Let the House recollect that Lord Ellenborough was charged with a wife of tender years; that he was a man experienced in the world, and that he had not only neglected her, but introduced her to improper companions not known to her before marriage, and the House would see, that no care had been taken to cherish and protect her character and fame. He called on the House to pause before they assented to the Bill in the absence of all proof as to what the conduct of the noble Lord had been. He did not know whether he was prepared to admit or not, that the case of adultery had been made out. There were certain circumstances which would warrant that conclusion; but he did not think it was made out by the evidence. He thought, as far as that went, it failed to prove the actual commission of adultery. He differed very much in the conclusion he came to, from reading the evidence, from many persons. There were many things in which he thought Lady Ellenborough much to blame; but what was the cause? Partly it was, that she had been introduced to bad company. She often went abroad, and was often out in public; she rode out with Prince Schwartzenberg; and if the evidence could be believed, she was seen by the servants riding out with the Prince. Would any person, however, say that Lord Ellenborough ought not to have known these things, and particularly after the warning he had received? It was his duty to have ascertained, but he seemed to have been ignorant of his lady's conduct. When a notice was given him, did he make any inquiries? He did not. His Lordship was not blameless; therefore he did not come into Court with clean hands, and his situation was such that he had no right to obtain relief from the House. The evidence that had been submitted was the most disjointed and contradictory he had ever read. It completely failed, too, to prove that those attentions had been paid by the husband which were due to a wife; and failing to prove that, the husband must bear the blame of her indiscretions, and be held responsible. He would then look at the charge of adultery; and first, the charge relating to Wimbledon, which was said to have occurred, as her Ladyship was going out to dinner, in a close carriage with a gentleman. There was no other proof than that a lady went in a carriage with Prince Schwartzenberg to dine at the Countess Antonio's, at Wimbledon, and there was no proof that the adultery was there committed. It could not be said that adultery was committed at Wimbledon; but would anybody believe that a lady dressed to go out to dinner was then guilty of anything improper, and that under such circumstances adultery took place [*A laugh, as if the Members were surprised at Mr. Hume's simplicity*]. There was no proof whatever that adultery was then committed. It was proved, perhaps, that Lady Ellenborough had gone to Wimbledon from Roehampton; that she had left Roehampton, and that she had received a letter. But did those circumstances prove adultery? She rode out to Highgate and other places, and was that adultery? No; there was an object, however, in bringing together all these cumulative proofs, to distract the attention from the real facts of the case. He disbelieved the conclusion drawn from the circumstance. Then there was the party at Richmond; but why were not the waiter and the other servants called to prove the conduct of Lady Ellenborough? He would say, that all these circumstances were brought together to mislead the judgment; all the trivial and improper pieces of behaviour which could be collected had been brought forward, to conceal the real facts of the case. Had Lady Ellenborough appeared to defend her character, he feared her Counsel would have asked Mr. Freshfield some very different questions. At first the case was accommodated; and had there not been a settlement made, there would have been some recrimination. The whole matter would be changed. He begged the attention of the House to the letter he had already referred to, and that satisfied him that upon the separation a liberal settlement had been made on Lady Ellenborough. But for that he believed there would have been recrimination on the part of Lady Ellenborough's family [*No, no*]. There was something said of suing. The question was, why did Lady Ellenborough withdraw herself from Lord Ellenborough? Ladies were not in the habit of doing that without some sufficient and strong reason. In this country, in general, females did not withdraw themselves from the beds of their husbands. It might not be the case in that fashionable society of which so much had been said, but in general it was the practice of the country for wives not to go away from their husbands. The case might be different among the society of the gentry, but in general it was not the practice. Like Miss Steele, perhaps, he considered many things wrong which in fashionable society were overlooked. He had disposed of the Wimbledon, and the Highgate, and the Richmond cases, and what was there more? The lady, it was stated, visited Prince Schwartzenberg in Harley-street. There was an unwilling witness, who reminded him of the *Non mi ricordo* evidence on a memorable occasion, who remembered nothing—who said something about a flower and a letter, but could not remember at what time of the year it came. His evidence was contradictory, and he thought it was worth nothing. Then an individual who had seen a lady visit the Prince at 73, Harley-street, whom he had never seen but four times, and he did not know Lady Ellenborough. There were also the two individuals, the butler and the footman, who were always up in the drawing-room watching, when they ought to have been down stairs, and they had seen a lady go to Prince Schwartzenberg's. They said she came from Queen Anne-street; but it had been proved that the carriage only stopped there three or four times, and generally in some other place. But it was remarkable that there was a great difference between the testimony of these witnesses and that of Ann Lewis. She said, that she had seen Lady Ellenborough only once, and that she then came in Prince Schwartzenberg's cabriolet. This evidence, then, related to different persons, and it only proved that ladies went to visit Prince Schwartzenberg. There was next the servant of Mr. Taylor—he said he had seen her go to and fro on foot, while the servants said she never came on foot. The evidence of the boy Carpenter, when attentively considered, could not for a moment be supported, as bearing out the case. It fell completely to the ground, when contrasted with that of the coachman. The boy said, that every body talked of it. The coachman, on the contrary, denied that he ever heard a word about it. Carpenter was asked, if Lord Ellenborough's servants talked about it. He said, constantly. The coachman was asked the same question, and he replied, never. Carpenter said, he often told the coachman that Prince Schwartzenberg rode with Lady Ellenborough. The coachman, on the contrary, denied that he ever heard a word on the subject, or that the boy ever told him anything about Prince Schwartzenberg. The whole of this part of the evidence was, in short, so palpably contradictory, that no man could place the slightest reliance on it. Then they had the evidence of one who talked a great deal about liveries, and about knowing the boy by the facings of his coat. But as little dependence could be placed on it as upon the transactions detailed by the coachman and the groom; for the liveries might have been assumed merely to commit a fraud, and to elude suspicion. He came now to the story of the Brighton affair; and he really must say, that he never recollected an act of criminal intercourse supported by such a clumsy contrivance; and that the whole of the acts, separately and together, were incapable of sustaining a bill of this kind. What! was it consistent and natural that a waiter should come up to a lady of the rank and station of Lady Ellenborough, and say to her in the morning, after the detection was said to have taken place, "I know what you have been about last night;" and that Lady Ellenborough should say, "Pray don't tell of me, and there is, 20*l.* for you." Then, this fellow Walton said, he received the money, and that he gave a part of it to his fellow-waiter, Hepple. Hepple, on the contrary, denied that he received any sum for the purpose stated, but admitted that he did receive 5*l.* for attendance on Lord Ellenborough's child, which was the usual and customary allowance; the boy having remained there for a number of months. Hepple was then asked if he was sure that Walton did not at the time he gave it tell him it was to hold his tongue; a circumstance he positively denied; and he also denied that he had any conversation on the subject until long after. Looking, then, at these plain and positive contradictions in the testimony of all the witnesses, and disposing of them, therefore, as of no importance to the case, it appeared that there was not a single individual upon whose evidence the Bill was to be supported, except Miss Steele; and upon her evidence, even taking it to be strictly correct, he would appeal to them to reject the Bill, even if they thought that Lord Ellenborough was justified in coming before them to claim redress. But what was the evidence of Miss Steele? She had been the governess of Lady Ellenborough, and perceiving the imprudence which characterised the conduct of both parties, she said to Lord Ellenborough, "Your wife is young; I think you allow her to go too much out without you. Pray put an end to her associating with persons of the character I see around her. I have heard they are profligate. Do take care of what you are about." What was Lord Ellenborough's reply? Why he laughed, as much as to say, it answers my purpose, let it go on; I know to what it may lead. This was the course pursued by Lord Ellenborough; and if adultery were the consequence, it was evident that he lent himself to it, by that want of due attention which he was in duty and in justice bound to afford his young and beautiful wife. If such then be the case, in what situation was the House placed? It was called on to do justice between Lord and Lady Ellenborough; it was also called on to do justice to the public. They were to look at the case as one in which the morals of the public were deeply interested. They were sitting in judgment upon the case of Lord and Lady Ellenborough: they were also sitting there to do an act of justice to the whole community; and they were bound to teach all who came before them for relief by a Divorce Bill this salutary lesson—that unless they came there with clean hands—unless they had performed the obligations laid on them by the marriage contract—unless they had watched over their wives with care, and afforded them all necessary protection and assistance—unless they had guarded them against the allurements of society, and the attractions of that society which is called fashionable, they must not expect to be relieved from those bands which their own conduct had rendered galling and disagreeable to them. The step they were about to take was one of the utmost importance. They were called on to teach the higher classes that they were not to be allowed to go on in their career of profligacy and folly, reckless—for that was the word—of consequences. That they were not to be allowed to spread the contamination of their vices amongst all the other classes in the country. He was sure that if the House pursued the course he recommended, and a man and his wife should hereafter behave in the manner which the evidence exhibited in the present instance, they would at least not presume to come to that House, and ask for relief from the consequences of their own misconduct. It was their duty to stamp by their vote their opinion of a case in which—although he would not say there was collusion, because he was not able to prove it, although it strongly approximated to collusion—yet in which there was so much negligence and want of attention as to justify the House in refusing the relief which was sought. He repeated now, that he wished for further evidence, because, if Lord Ellenborough wished to appear before them with clean hands, it was necessary they should have that evidence. The hon. Member had, however, declared that no further evidence was to be produced; and he, therefore, had no alternative left him but to give his vote for the rejection of the Bill, and thereby teach all fashionable society, as well as Lord Ellenborough, that if they adopted such a course of proceeding, they were not to look for a relief of that description from Parliament. He opposed the Bill, because he owed a duty to society; and because it was the only course the friends of that Bill had left to him.

Sir Henry Hardinge, Lord Nugent, and two or three other Members rose together, but,

Sir *Henry Hardinge* persevered, and began by observing, that under any other circumstances he should be happy to allow any other member to address the House; but under the peculiar circumstances of the present case, he must beg leave to make a few observations on the speech of the hon. member for Montrose. He thanked that hon. Member for the opportunity he had afforded him of replying to the charges brought against the conduct of his noble friend; but he must, at the same time, say, that he never recollected to have heard a more clumsy perversion of reasoning, or a more exaggerated statement of facts; and if he pretended in this matter to fulfil a judicial function, he confessed he had never met with or heard of any case in which the evidence had been summed up in a more unfair and perverted manner. He did not complain of the examination of the witnesses. He was glad, as far as his noble friend's character was concerned, that the evidence had been sifted so much; and that, as the honour and happiness of his noble friend were at stake, the House would have an opportunity of fairly deciding on the merits of the case. The hon. member for Montrose, in his disjointed and inefficient examination of the evidence, had dwelt much on the prevarications of Lady Ellenborough's groom; but the House would recollect that he was the witness for the guilty party, and that he was engaged in their interest. Mr. Freshfield had proved that Carpenter was exclusively the groom of Lady Ellenborough, and a most unwilling witness; and that the moment the adultery was discovered, and the separation took place, he was dismissed from Lord Ellenborough's service. All his evidence, therefore, must be taken as coming from a person who was an unwilling witness for Lord Ellenborough, and only brought forward in order to prove the continual visits to Harley-street. If, therefore, prevarications respecting the conversation with the coachman were ten times worse than they were, it would not disprove the fact that he was in the daily habit of attending his mistress to Harley-street. Then with respect to the evidence of Walton and Hepple. If a man were so vile as to go to a lady and make the demands he had done, he would be rogue enough to cheat his partner of his portion of the spoil. Did that, however, disprove the fact that adultery had been committed? But then look at the evidence of Miss Steele on this point. The waiters spoke to the commission of the adultery in October; Lady Ellenborough, Miss Steele says, confessed her guilt with Prince Schwartzenberg, and disclosed the facts connected with the Brighton affair in May. All, therefore, confirmed the fact of the adultery; and he was confident that if any man, having a sense of what evidence was—although he feared that the hon. member for Montrose had no sense of what evidence was—but no man, having such a sense, could fail to be satisfied on this point. The question was, were they to pass the Bill or not? He agreed that if Lord Ellenborough had been proved negligent of his duty towards his wife, or to have been deficient in the kindness due from a husband, he would not be entitled to the relief which he prayed. But did any part of the evidence show Lord Ellenborough to have been a negligent husband? On the contrary, all the witnesses negatived such a supposition. Every witness deposed to the good understanding which subsisted between them. At any other time, or on any other subject, he should have felt extremely reluctant to demand so much of the attention of the House; but when the character of his noble friend was assailed in so unfair and extraordinary a manner, and with such exaggerated statements, he felt bound to attempt to relieve it from the effects of the mis-quotations and mis-statements of the hon. member for Montrose; and he should, therefore, take leave to allude to some of the evidence on this subject. Mr. Law, brother to Lord Ellenborough, states, that they always displayed towards each other the greatest possible affection. In page 36 of the printed report of the evidence, Miss Steele is asked, "After Lord and Lady Ellenborough's marriage, had you an opportunity of seeing them together?—Very often. On what terms did they live?—Very happily. Did you live on such terms of intimacy and friendship with them as to be enabled to form an opinion upon that point?—I passed several days with them together." Again, she is asked, "Are you quite sure that Lady Ellenborough never made any complaint to you of Lord Ellenborough's conduct to her?—I am quite certain she never did. After the separation which took place between Lord and Lady Ellenborough, did Lady Ellenborough ever express herself in terms of gratitude at the conduct of Lord Ellenborough towards her?—Often. Are you aware that the family of Lady Ellenborough expressed themselves satisfied with the manner in which Lord Ellenborough had conducted himself on the occasion of the separation?—Very much satisfied." Now, after the manner in which this lady had given her evidence—a manner which impressed every one with the conviction of her being thoroughly worthy of belief—it might at the same time be observed, that she came to the bar of that House from the family of Lady Andover, the mother of Lady Ellenborough; and he might add, that if the House thought it necessary, every member of that family would come down to that House and express their opinions of the conduct of Lord Ellenborough. What was the evidence of Lord Ellenborough's butler? He was asked, "Was the conduct of Lord Ellenborough invariably kind?—Yes, it was invariably kind to Lady Ellenborough. Should you say that he was as indulgent a husband to Lady Ellenborough as you had ever seen in the different families you have lived in?—As much so or more so than I have ever seen." The hon. Member then referred to a letter addressed by Lady Ellenborough to Lord Ellenborough, from Brighton, on the 6th or 7th February, in which she says, "Good night, dearest;" and he also referred to the two letters written after the separation, in order to show the good terms on which Lord and Lady Ellenborough lived up to the latest moment. He also observed, that he had at that moment before him a letter written by Lady Digby to Lord Ellenborough, in which she expressed her gratitude to him for the kind and liberal conduct he had displayed towards her daughter. This letter, if it was desired, he would read to the House [*No, no*]. The next point he would advert to was the charge of criminality against Lord Ellenborough, for having allowed her Ladyship to associate with persons who had been the cause of the errors into which she had fallen. Now, a more unjust accusation than that could not well be made, after reading the evidence. Miss Steele, who deposed to that part of the case, admitted that her principles were considered rather strict, and that her ideas might be thought scrupulous. In considering that portion of the evidence, they ought also to recollect that Miss Steele, although a highly respectable and intelligent woman, did not move in that class of society which enabled her to form a very adequate judgment of the manners and habits of those persons against whom she warned Lord Ellenborough. He would ask, however, if this lady had felt it necessary to repeat the caution which she had given : did she often warn Lord Ellenborough? No, she merely mentioned it once; and he would here repeat, that the hon. member for Montrose, in alluding to that as well as many other parts of the case, had perverted the meaning of the evidence, and not done justice to his judicial character. He would read a part of the evidence, and the answers, and leave the House to draw their own conclusions : "You spoke of Lord Ellenborough having laughed when you gave advice respecting Lady Ellenborough's associates; did you understand that laugh to imply scorn for such proper advice, or unlimited confidence in Lady Ellenborough?—Unlimited confidence in Lady Ellenborough, certainly." He mentioned this to show, that if Lord Ellenborough laughed, there was no bad *animus* in such an expression. The lady was then asked, "You have stated that you knew Lord Ellenborough disapproved of Lady Ellenborough visiting certain individuals; how did you know that; had you any conversation with Lord Ellenborough on that subject?—I had; but Lady Ellenborough herself told me that Lord Ellenborough had repeatedly begged her not to do it. Was it from Lord or Lady Ellenborough you knew that?—From both. Was that subsequent to the autumn of 1828?—Yes. Can you state on what occasion Lord Ellenborough expressed that to you?—It was in the month of July. July, in what year?—1829. That was after the separation?—It was after the separation." This proved that Lord Ellenborough did disapprove of the associates of Lady Ellenborough, and that the continuance of the connection, although made a charge against Lord Ellenborough, was not attributable to any of those bad motives which the insinuations of the hon. member for Montrose had endeavoured to put upon it. The next charge was, that Lord Ellenborough was not ignorant of the misconduct of his wife, because it was a matter of public notoriety. He apprehended, however, that this notoriety was confined to a very particular circle; and that even up to the very time of the separation on account of the adultery, he did not know of the intimacy of Lady Ellenborough with Prince Schwartzenberg. He might call full half a dozen of the Members of that House to prove that the Prince and Lady Ellenborough did not seem to know each other when Lord Ellenborough was in company; and although the coachman declared that Prince Schwartzenberg frequently handed her to her carriage at the opera, and other places, yet he never did so when Lord Ellenborough was present. Lord Ellenborough had no caution —he was too confiding—too unsuspicious —his sense of honour was too high to induce him to doubt the purity of the conduct of his wife. He was satisfied that her principles would preserve her from error, and he did not conceive it necessary to inquire into the nature of every engagement she formed during the day, or be a spy on his wife's conduct. If he had heard any reports unfavourable to his wife's character, he would undoubtedly have inquired into them. But was it surprising that he had not heard any, when Miss Steele, who had Lady Ellenborough's character so much at heart, and had warned Lord Ellenborough against some of her associates, was not aware of the intimacy existing between her and Prince Schwartzenberg? Great pains had been taken to show that Lord Ellenborough was aware of his wife's intimacy with Prince Schwartzenberg, but he referred to the evidence of Thomas Kane, who stated that the Prince had never been in his Lordship's house. [The gallant Officer again referred to the evidence of Miss Steele to prove her ignorance of intimacy existing between Lady Ellenborough and the Prince previous to her separation from her husband.} Here was a woman, the gallant Officer continued, of great respectability and virtue, who had educated Lady Ellenborough, ignorant of her connexion with Prince Schwartzenberg; and, as the husband was always the last person to hear of his wrongs, was it not natural to infer that Lord Ellenborough was also unacquainted with that guilty intimacy? The hon. member for Aberdeen had touched on a point, to which he confessed he did not attach much importance; but as the hon. Member had introduced it, he would only observe, that the non-cohabitation of Lord Ellenborough with his wife (if a proof of want of affection between the parties) only extended, according to the evidence, to a period of three or four months at the most. The House would recollect that it was not in the habit of examining into these points, before passing bills of the present description. It would be remembered that Mr. Cazalet applied last year for a bill of divorce. He had been absent in India, and while he was away his wife had been guilty of adultery. He did not cohabit with his wife for one year after his return, she managing to give him excuses, which were so satisfactory as gave no reason to suspect her of guilt; at length a female friend of the lady expostulated with her on the impropriety of not cohabiting with her husband, and the guilty woman, by far the more decent of the two, replied, "It is too unnatural; I cannot do it; I am guilty. I will not add any thing more to my guilt." The House passed that bill of divorce, and would the House not pass the present one, because non-cohabitation had existed for three months? The doctrine was so monstrous, that it only required the hon. Member to broach it, in order to have it scouted out of the House with all the contempt it deserved. It was plain that Lord Ellenborough was the dupe of the art of a guilty woman; yet he was disposed to speak of the lady with all possible respect consistently with his duty to Lord Ellenborough. He must explain why he stood forward as the vindicator of the conduct of Lord Ellenborough, who had been so unjustly and unfairly attacked. The reason of his doing so was, because he was connected with Lord Ellenborough by a former marriage. He had known that noble Lord for fifteen years, and on every occasion he had found him to be a man of honour and integrity, and possessed of a kind heart. If it had been thought necessary to make any ostentatious display of his Lordship's merit, he should have insisted on being examined himself at the Bar of that House on oath, if the forms of Parliament would have allowed it, as to Lord Ellenborough's conduct to his former wife. That conduct had been such as to secure the esteem of Lord Londonderry's family; and he could say, from his own knowledge, having lived two or three months with Lord Ellenborough, that a more exemplary, kind, and indulgent husband never breathed. He could state another fact (though he was almost ashamed to occupy the time of the House on the subject) to vindicate his Lordship from such false imputations as had been cast upon him. Up to the time of his Lordship's marriage with Miss Digby, he continued to be respected and esteemed by the whole of Lord Londonderry's family; and the Dowager Marchioness of Londonderry wrote a letter to Lady Andover, though not acquainted with her, congratulating her on the marriage her daughter was about to enter into, because Lord Ellenborough had been for five years a most exemplary and excellent husband to a daughter of hers. These were facts which ought to neutralize any of the objections of the hon. member for Aberdeen, some of whose morality and decency was so very coarse, that he wondered where the hon. Member could have picked it up. When English women were to be described as never refusing the attentions of their husbands—attentions such as decency would not allow him to mention—he never could allow such a description to be a just one. The hon. member for Breconshire, who was also connected by marriage with Lord Ellenborough, could speak as to the terms of affection in which his Lordship and his wife lived together. From 1824 to March, 1829, he was in the habit of visiting Lord Ellenborough at Roehampton, and he could only repeat, that his Lordship's behaviour was that of a most affectionate and indulgent husband. If these were facts, and he was ready to maintain that they were, he was fully borne out in saying, that Lord Ellenborough had been assailed, calumniated, and vilified in a more shameful manner than any man had ever been who was unfortunately compelled to come before that House on such an errand. It was obviously easy for a man who was immersed in public business to become the dupe of an artful and cunning man, and to have, as in this case, his wife allured from her home to the arms of a seducer. It was not in the power of a husband so situated, let his vigilance be ever so great, to prevent the possibility of such an occurrence. But this he would say for himself, that he would prefer the misfortune of being a dupe of that description to the disgrace of being a spy. But it was said there had been connivance on the part of Lord Ellenborough. If it were possible to suppose that a man of rank, of station, of virtue, and of character, could so far demean himself as to lead the way, and act the pander to the dishonour of his wife, the mother of his only child, then indeed they might give credit to this foul assertion, and afford their sanction to a suspicion so monstrous and so contradictory to the whole tenour of that noble Lord's life. Lord Ellenborough had been before the public now for a period of twenty years, and there was not a single ungentlemanly or ungenerous act of his public conduct during that time which argued on his part a want of integrity, of honour, or of principle. He had been for that time upon the stage of public life, and he would triumphantly ask, was there a single act of his which countenanced so base a suspicion,—so foul and so false an accusation? No, his conduct had been quite the reverse, and there had been nothing whatever in any part of it to give countenance in the slightest degree to this monstrous lie, which he (Sir H. Hardinge) threw back with the scorn it deserved upon its discreditable authors. But it was said that there was collusion between the parties in this case, because Lady Ellenborough confessed her guilt; and because, in doing so, she did not wish to inflict still greater wrong upon her injured husband, by attempting to prevent his obtaining this divorce. Was it collusion on the part of a wife who had thus wronged her husband, to feel sorrow after she had done so—a sorrow which there was every reason to suppose this unfortunate lady did feel, and actuated by that feeling to abstain from taking any steps to prevent her husband from obtaining that release which was now sought for? Could that be denominated collusion? Could it be said to be a proof of collusion on the part of that brave and gallant officer, Admiral Digby, if he, feeling that Lord Ellenborough had acted kindly and honourably towards his daughter, should abstain from offering any opposition to his getting a divorce? Was it not, on the contrary, more the part of an honourable and high-minded man, under such circumstances, rather to desire to do justice to Lord Ellenborough than to seek to impede him from obtaining that relief and redress which he now sought? But they had been told that Lord Ellenborough should have looked more narrowly after his wife. Were they to be told that in Great Britain a husband should be a spy upon the actions of his wife? He saw many hon. Members around him who, during the Session of Parliament, were frequently obliged to be absent from their homes from eleven o'clock in the day until past twelve o'clock at night. How could a man, under such circumstances, maintain a close and continued observation on all his wife's actions and conduct throughout the day? How was it possible for any hon. Member, who had to attend to the committees and to the business of that House, to maintain that incessant watch upon his wife which the hon. Member for Aberdeen had spoken of as indispensably necessary on the part of a husband? This he would say, that the hon. member for Aberdeen was the last man in that House who should have spoken of the necessity of such continual observation, for his own absence from home was perhaps more constant than that of any hon. Gentleman present. Suppose a husband a lawyer, a physician, or a military man, and that his wife should avail herself of the opportunities which his necessary attention to his professional duties should afford her to bring disgrace upon herself and dishonour upon him, was he on that account to be debarred from that relief which Lord Ellenborough sought in the present instance? Although the most satisfactory evidence should be given of her criminality, was he to be deprived of all redress because it had not been in his power to prevent it? A doctrine so monstrous and so unjust only required to be shown up to the House to be scouted as it deserved. The hon. member for Aberdeen might consider that jealousy on the part of the husband was a proper kind of vigilance to be exercised by him in reference to the actions and conduct of his wife; but for himself he would confess that he entertained no such sentiments. He trusted that such sentiments would never gain ground in this country. What would be the result if they should be eternally employed in looking after their wives, and if their almost sole occupation should be a silent and jealous watching of their actions and conduct? The result would be to pervert English society in the highest degree, and to convert an English family into a Turkish harem. He would declare that he would never be a party to such principles,—he never would be the advocate of such prying watchfulness and jealous caution on the part of an English gentleman towards his wife. The proper way for an English gentleman to act towards his wife, was to treat her with confidence and affection, and with a just reliance upon her innocence and virtue. That was the way in which he should act —that was the caution which an English gentleman should exercise towards a virtuous English wife; and if it were proved that he had acted so, and that she should fall, the House would not surely refuse him relief upon that account? It was true, that he (Sir H. Hardinge) felt strongly on this subject—he felt strongly and warmly for an honourable man, left in an unprotected state, and assailed in the most dreadful manner. If he never stood in the relation in which he did stand towards Lord Ellenborough, he should have felt as strongly for a man who had been so unjustly assailed, and in such an unprecedented manner, particularly out of doors. It was not for him, upon this occasion, to grapple with the vile and unfounded imputations which had been cast upon the noble Lord, or to attempt to remove or dispel all the shameful reports which had been so industriously circulated against him. He should but disgust the House by entering into a refutation of such groundless charges; but he would ask hon. Members, was there a single act in the whole public life of the noble Lord, for the last twenty years, to countenance or support the charges that had been brought against him? Evidence had been produced to prove that adultery had been committed by this unfortunate lady,—an adultery with Prince Schwartzenberg; evidence had been adduced to disprove the charge of neglect on the part of Lord Ellenborough towards his wife, and to show that he had been, on the contrary, a kind, considerate, and attentive husband; and he was sure that hon. Members, laying aside every thing like personal or political feeling, would now decide judicially upon this case, with justice and impartiality, and afford to Lord Ellenborough that relief to which he was so fairly entitled. In conclusion he would only say, if in defending that noble Lord he had shewn any unbecoming warmth, he should be willing to atone for it to the House.

Dr. *Phillimore* said, he trusted the House would bear with him, while he endeavoured, as shortly as he could, to express the opinions which he entertained upon this case, and in reference to this particular subject. His hon. and gallant friend who had just addressed the House had called upon them to consider this case in their judicial capacity, and he had entreated hon. Members to divest themselves of all political and party feeling in pronouncing judgment upon it. He could assure his hon. and gallant friend, that from the commencement of this investigation he considered it strictly in his judicial capacity, and that he had given to the case, as it proceeded, all the attention which it was in his power to bestow upon it. Since he had had the honour of a seat in that House, there had been a variety of cases of this description accidentally discussed there, but as it had so happened that he had been employed in the courts below, either for one party or the other in those cases, he had uniformly abstained from offering an opinion either on the one side or the other, when the case came under the consideration of the House. But in this case, he had not been employed either by one party or the other, and he approached the consideration of it, and the circumstances attached to it, with a mind divested of every species of bias or preconceived impressions. In the course of the discussions upon this case, a complaint had been made, and it had been reiterated this evening by the gallant officer opposite, that an unprecedented course had been adopted with respect to this Bill. Now, he would confess, looking at the manner in which this measure had been conducted, that it had been such as to justify what might be considered a devious, but which was certainly a constitutional, course on the part of the House in respect to the Bill. It was to be observed, in the first instance, that in the proceedings which took place in the courts below, there had been no cross examination of any witnesses. It was further observable, that no proceedings had been taken in this case in a Court of Common Law; no verdict had been obtained; and these were circumstances which appeared to him such as called upon the House to exercise more than usual caution and vigilance in passing this Bill. Other circumstances also had occurred in the progress of this Bill that were calculated to excite the vigilant attention of this House. A general impression had gone forth, that the House of Lords had not done its duty in the examination of the witnesses produced in this case. Whether that impression were correct or not, it increased the obligation upon that House to do its duty, and in the discharge of it to exercise additional caution and circumspection. There was another circumstance—namely, that there had been no counsel employed for the party accused; and it was well known that in every court of justice under such circumstances, the court, let it be what court it might be, was entitled to give the most indulgent consideration and the most favourable construction to the conduct and acts of an undefended party who was proceeded against. The hon. member for Aberdeen had spoken of the important obligations of the marriage contract. It was undoubtedly a most important engagement—the most important one, indeed, which one individual could contract with another; and the maintenance of which was not of more importance to the contracting parties themselves, and to the issue of the marriage, than it was to the general interests of society, the happiness and moral order of which was so deeply involved in it. Now, in viewing this question, in reference to the sacred nature of the marriage contract, there were public considerations which attached to a bill of this sort that were well worthy of regard and attention. He should inquire, in the first instance, how was it that this case stood? By the decree of the Ecclesiastical Court, Lord Ellenborough had been relieved from all obligation of cohabiting with his wife, and from all possibility of having a spurious issue. Having been relieved from so much by the ordinary course of law, this Bill was introduced; it was a Bill of Pains and Penalties against Lady Ellenborough; the object of it was, to enable Lord Ellenborough to marry again. Now the question was, how was marriage viewed by the law of the land? Marriage was looked upon by the law of this country as an indissoluble contract; and though great individual hardships might, in particular instances, arise from viewing it in that light, he believed that experience showed that the happiness of the married life was best promoted by considering marriage, generally speaking, as an indissoluble contract. There was only one case in which the law considered it proper to allow the dissolution of the marriage contract, and that was where one of the parties had been guilty of adultery. Now, in order to effect that, the practice was, to legislate for each particular case, and by a specific Act of Parliament to release the individual so circumstanced from the bond of matrimony. The practice of passing Divorce bills was not of ancient date. The first case in which the House exercised this power, if that of the Marquis of Northampton is excepted, which rested on other grounds was in the year 1669, on the application of Lord Roos, who was afterwards Earl, and he believed Duke of Rutland. In mentioning that celebrated case, Bishop Burnett makes the following remarks:—"This matter had lain asleep above 100 years (the allowing of a second marriage after a divorce for adultery), till the present Duke of Rutland (then Lord Roos) moved for the like liberty. At that time a sceptical and libertine spirit prevailed, so that some began to treat marriage only as a civil contract, in which the Parliament was at full liberty to make what laws they pleased; and part of King Charles's courtiers applauded this, hoping by this doctrine that the King might be divorced from the Queen." It appeared, then, according to Burnett, that the prinpal reason why this doctrine was then favourably received in Parliament, and why it was applauded at court was, because it was supposed that it would enable King Charles 2nd to obtain a divorce from his wife. This question, as to Lord Roos's marriage, was discussed at great length; the discussions upon it lasted for several years; King Charles himself attended in person at these debates in the House, and the bill for the dissolution of the marriage was finally carried by only a small majority. The next case which occurred led to great discussions at the Bar of the House; he alluded to the case of the Duke of Norfolk. The Duke of Norfolk applied for a divorce in 1692, but failed in his application. In 1700 he again renewed his application, and after great discussions at the Bar of this House, he succeeded in obtaining the divorce which he sought. In the course of those discussions, Sir Thomas Powis, who was leading counsel for the Duchess of Norfolk, said, that for 600 years there had been but four or five divorces, and the junior counsel who followed him on the same side, corrected that statement, properly as he believed, by stating that there had been in the 600 preceding years only three cases in which the House had granted divorces. Now, from the time when the bill was passed to enable Lord Roos to marry again, up to the year 1800, constituting a period of upwards of 130 years, there had been only 132 divorces by Act of Parliament, whereof eight had occurred in the first forty-five years of that period, fifty in the next sixty years, and seventy-four in the last twenty-five years of that period. From 1820 till 1830, in the short period of only ten years, there had occurred twenty-six cases of divorce; that showed a great increase in the frequency of those cases in latter years. Indeed, it was impossible for any persons who attended in the House of Lords, on occasions when such bills were passed, not to observe that they were generally passed with the connivance and collusion of both parties, and with the production of scarcely any evidence in their support. Both the Canon law and the Roman law were opposed to any species of understanding between the parties, and any suspicion of connivance imposed on Parliament the solemn duty of closely watching all Divorce bills in their progress. Even the Judges in the Courts below were continually baffled in cases of this kind. He found, that in reference to the frequent passing of bills of this kind, Lord Grenville—no mean authority, by the way, on a question either of morality or law—expressed himself in the following terms thirty years ago,—namely, in the year 1800:—"He had long been sensible of these truths, nor had he ever been present when a Divorce bill was passed, that he did not think the House disgraced and degraded."* There was a circumstance connected with the passing of these kinds of bills through the House of Lords, which merited observation. There was a Standing Order of the House of Lords, that every Divorce bill should contain a clause that the adulteress should never marry the adulterer; but whenever bills of this description were introduced, this Standing Order was suspended with regard to each bill. The bill contained the clause it was true, when it was introduced, but it was invariably struck out in the committee. In fact, the whole system of granting divorces required revision. Into that subject, however, he would not then enter, he would confine himself to the case before the House; and the question the House had to decide was, whether or not there was in this case any thing peculiar to disentitle the individual seeking relief to the indulgence which was usually extended by the House to parties under similar circumstances? There were two points to be considered here. It had been admitted by the learned counsel who opened the case, and by the gallant officer who had just addressed the House, that a double obligation was imposed upon Lord Ellenborough, and that he should, in the first place, show beyond the power of contradiction, or legal doubt, that his wife had been guilty of adultery. In the second place he was bound to show not only that he had not been guilty of adultery himself, but that he had not been guilty of connivance with regard to the crime of his wife, and that he had not been guilty of such neglect towards his wife as might cause her to abandon him. What was the doctrine laid down by the text law upon this point? It was this:—"*Judex adulterii ante oculos habere debet et inquirere an maritus pudice vivens, mulieri quoque bonus mores colendi auctor fuerit. Periniquum enim videtur esse ut pudicitiam vir ab uxore exigat quam ipse non exhibeat.*" Such was the doctrine of the text law. As to the evidence to the adultery in this case, he must say, that the conviction on his mind was, that the evidence which had been produced as to that point was complete, and that the fact of the commission of adultery had been fully made out. It was true, that the testimony of some of the witnesses from Brighton was rather of a doubtful character; but then the evidence as to the constant visits of this unfortunate lady to Harley-street and Holles-street was conclusive; she went there in her own carriage, attended by her own servant, and there was as complete a chain of evidence as any court would require to establish the fact of the commission of adultery. The proof of that fact, if it merely depended upon the evidence of the two waiters at Brighton, might be considered doubtful, but they had corroborating proofs in Lady Ellenborough's visit to Brighton at that period,—in the precipitate haste with which Prince Schwartzenberg went down there, and in the letter which Lady Ellenborough wrote from thence about the same time; and a further proof was afforded in the confession made by Lady Ellenborough to her governess, Miss Steele. He was ready to admit, that evidence which arises from confession was not a species of evidence which would be received in the Courts below, unless upon certain conditions, and liable to great distrust. Lord Stowell had laid down the law upon that point in the following words, in the case of "Williams against Williams." That learned Judge said in one of those admirable judgments, which had established for him so great a reputation, "The Court, however, must remember, that confession is a species of evidence which, though not inadmissible, is liable to great distrust. There is a canon particularly pointed against it, which says, '*Nec partium confessioni fides habeatur;*' and though it is evidence which is not absolutely excluded, but is received in conjunction with other circumstances, yet it is on all occasions to be most accurately weighed." Though such evidence in a Court below might not therefore weigh much, yet, when produced, in conjunction with the other evidence which had been given, it led him to the judicial conclusion that the act of adultery had been committed, as far as legal proof could be obtained of the fact, in Harley-street, in Holles-street, and at Brighton. But then came the remaining question; and to that he would address himself, as he hoped all who heard him would do, with the most sincere disposition to arrive at a just conclusion. That question was, had the conduct of the husband been such as to justify Parliament in granting to him a privilege not to be obtained in the ordinary course of law by the subjects of this realm. The right hon. and gallant officer opposite had said, that a husband should not act the part of a spy upon his wife. What was the rule which was laid down by the law of the land in reference to the duty of the husband with regard to watching over the conduct of his wife? He should here again state the law upon this subject in the language of Lord Stowell, in an eloquent judgment which that noble and learned Lord delivered many years ago, in the case of "Foster against Foster." In that case, Lord Stowell refused the divorce which was asked for, and he laid down the law with regard to the duty of a husband in the following terms:—"It is not, however, to be considered as a matter perfectly light in the behaviour of a complaining husband, that he has withdrawn himself (with cause or without cause) from the discharge of duties that belong to the very institution of marriage; and if he has done so, he ought to feel less surprise if the consequences of human infirmity should ensue. I have to observe also, that his marital conduct is in the present instance in the highest degree inofficious. A husband is expected by law to pay a due attention to the behaviour of his wife, and to give her the benefit of some superintendence where she is placed in a dangerous situation." And in speaking of the conduct of the party, after laying down this general maxim, the learned Judge said, "At any rate, there was a want of that delicate sensibility—of that prudent attention—of that honest caution—which belong to the character of a husband." This, the House would remember, was said in a case in which the judge refused the divorce prayed for. That same wise authority delivered his opinion on the same subject in the discussion which took place in this House upon the Adultery Prevention Bill,—a Bill which, after it had been carried in the House of Lords, was lost in this House. He was not able to give a statement of the opinion delivered by that learned Lord upon that occasion like those which he had already read from reports which had been revised by his Lordship himself, and which of course were possessed of additional weight and authority on that account. The statement of the learned Lord's opinion on that occasion he found in the ordinary accounts which were published of the proceedings that took place in that House. The report stated that Sir William Scott said,—"He was, however, disposed to think that the law in this country was placed on a footing the best consistent with the general safety. He meant, so far that the legislature should keep the matter of divorce in its own hands rather than leave it to the subordinate courts. By the existing practice of the legislature, it was requisite, to entitle a husband to a divorce, not only to give proofs of the misconduct of the wife, but at the same time of his own good conduct. It was evident there might be shades of difference as to the conduct of the husband, so as to render the decision of the legislature a matter of discretion, which did not safely belong, and could not strictly be intrusted, to a Court of Justice, where decisions were to be guided by strict rules of evidence and matters of fact." It was evident from this, that the opinion of Lord Stowell was, that in a Court of Law a husband was bound to give proof that he had afforded to his wife "the benefit of some superintendence when she is placed in a dangerous situation," and that the legislature might exercise a discretion respecting these points, that could not be safely intrusted to a Court of Law. Could any one doubt, indeed, after hearing these passages, that it was Lord Stowell's opinion, speaking in his judicial character, that by the matrimonial law of this country, there was an obligation, arising from the very nature of the contract, on the husband to pay attention to the conduct of his wife, and afford her advice and admonition when placed in a dangerous situation; when exposed to temptation, and the snares that were laid in the way of unrestrained indulgence in fashionable dissipation? Was it not clear, too, that it was Lord Stowell's opinion, when speaking as a lawmaker, that the legislature had greater latitude in examining witnesses, and less strict rules for conducting the examination, than could be safely confided to any court of law; for he made this an argument in favour of the system adopted by the legislature in passing Divorce bills; and was it not evident that the House was, in his opinion, bound to have ample proof that the conduct of the husband had been in all things correct?

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* Parl. Hist. 1800. vol. xxxv. p. 275.

Sir *H. Hardinge* was understood to say across the Table, that the cases referred to were very different from the one before the House.

Dr. *Phillimore* said, the gallant Officer had misunderstood his object; he had not referred to any case as being one similar in its facts to the present case; but he had quoted opinions on cases merely for the purpose of illustrating the general principle of law which was applicable to all cases of this description. The hon. member for Aberdeen had said, that in the Courts below, in which he (Dr. Phillimore) had the honour to practise, no attention was paid to the conduct of the husband in cases of this kind. The facts to which he had just referred afforded, however, a complete refutation of that statement. He would then proceed to advert to the evidence which had been adduced, as to the conduct of Lord Ellenborough. Mr. Law had certainly given his evidence with fairness, and he had borne testimony to the connubial happiness which appeared to exist between Lord Ellenborough and his lady. But during the most important period of these transactions—namely, from 1827 to 1829, he never saw them, as he was out of the country, and could say nothing of the conduct of the parties for a period of nearly two years before the time that this unfortunate Lady became pregnant of a child by Prince Schwartzenberg. The evidence certainly did not go far to show a superintendence of his lady's conduct on the part of Lord Ellenborough. The whole question appeared to turn upon the confession of Lady Ellenborough to her governess, Miss Steele. That witness was stated to be a person of respectability, and of character. She certainly seemed to be an exceedingly clever, self-possessed, and adroit person, and if she had been before a jury, where a counsel could cross-examine her, and press her for answers, undoubtedly more evidence would have been elicited from her upon this subject. The case here was this—the noble Lord had married a young lady of the age of seventeen, who was declared by her governess to be a person "remarkably reckless of consequences." The obligation, therefore, upon Lord Ellenborough, to superintend her conduct, was considerably increased, when her disposition and the difference between their ages were taken into account. When this witness was pressed as to the caution which she gave Lord Ellenborough with regard to the improper society to which she conceived Lady Ellenborough had been introduced, it was impossible not to see that she had given him such a caution, and that she had brought distinctly under his observation the fact that his lady was living in society that might be dangerous to her, and to which she had not been accustomed in her father's house. This warning, therefore, it was quite plain had been given by this witness to Lord Ellenborough long before the separation between him and his lady took place. Again, there was a circumstance which could not pass observation,—he alluded to the absence of sexual intercourse between these parties, as proved by the evidence of this witness, Miss Steele. She stated she had been informed by Lady Ellenborough, that there had been no such intercourse for several months, and he thought it but fair to assume that it had existed for a much longer period. In the month of June, Lady Ellenborough stated to her that the child with which she was then obviously pregnant, was Prince Schwartzenberg's. It was plain, then, from that statement that she could not have had sexual intercourse with her husband for a long period antecedent to that time. The witness said, "several months;" but that might mean six months as well as three. The question, with her answer on this point, was as follows:—"You were understood to say that Lady Ellenborough gave as a reason why the child could not be Lord Ellenborough's, her not sleeping with him; have you never stated, that she gave as a reason, that she had not for several months slept with Lord Ellenborough?—Since the month of February, March, or April, but I cannot say which." Now this was another circumstance which increased the obligation on the part of the husband to look after the conduct of his wife. Here was a young and beautiful woman of two or three-and-twenty, separated from her husband's bed for five or six months, and that at her own request. In any Court of Justice that circumstance would be considered one which ought to have excited great alarm, and increased the vigilance and attention on the part of the husband. At this time, too, the intrigue between Lady Ellenborough and Prince Schwartzenberg was carried on with considerable publicity. During the whole period it appeared that this unfortunate lady was in the habit of going daily to a house in Harley-street, and afterwards in Holles-street; that she went there in her own carriage, and with her own servant, and that she was in the habit of undressing and going to bed there in the middle of the day with her paramour. The coachman, in his evidence, acknowledged that he frequently "saw Prince Schwartzenberg attending her Ladyship coming out of plays or operas, balls or parties, in the evening." And yet the witnesses who deposed to these facts stated, that Lord Ellenborough knew nothing about them at the time. Now he did not so much complain of the evidence which had been produced as to Lord Ellenborough's conduct, as of the absence of other evidence, which ought to have been brought forward, to prove the attention and care of his conduct towards his lady. Why were not persons moving in a respectable station of life, and intimate with the family, brought forward to give evidence as to the exercise of a proper vigilance on the part of the husband with regard to his wife's conduct? It was with the deepest pain and anxiety that he had approached the consideration of this part of the subject; in doing so, he had endeavoured to divest his mind of every possible bias. In truth, he could have no bias whatever on the subject; but feeling as he did, and as the habits of his profession naturally induced him to feel, he could not allow the measure to pass without the expression of his opinion. He had made the most strict investigation into facts, as they had been stated in the evidence, and he found himself unable to account for the fact, how Lord Ellenborough alone could have remained ignorant of the transactions of this description, which had been going on for upwards of a year, and which seemed to be known to every one but to him, he living, as it were, a great part of that time out of cohabitation with his lady. To such a case as that, he could not avoid applying the lines of the great satirist of antiquity—

> ——————————————"Dum res
> Nota urbi, et populo, contingat principis aures
> Dedecus ille domûs sciet ultimus."

The question for the House to decide was, whether, taking all the circumstances of this case into consideration, they were prepared to pass a law for Lord Ellenborough's benefit, and to give him permission to marry again, he having been, as it expressed in the preamble to the Bill, "deprived of the comforts of matrimony." In the course of the discussion on the Bill, appeals have been more than once made to the compassionate feelings of this House. He was not, he trusted, insensible to such appeals; he felt compassion, deep compassion, for the unfortunate lady,—compassion, infinitely deeper, for her afflicted parents; he felt compassion, too, for Lord Ellenborough, but he felt also that being called upon to decide this question in their judicial capacity, justice and not compassion should be the ruling principle of their decision. The Commons should recollect that they were called upon to decide upon this case in their judicial capacity, and justice should be their primary object—justice, not only to the parties individually concerned, but to the higher interests of society and the administration of equal law; and in doing so they should give all the consideration which was due to the sanctity of domestic life, to the public morals, and to all the circumstances which crowd upon the mind, in reference to the inviolable nature of the marriage tie. He did not know whether any body would follow his opinion, but the conclusion to which he had come was, that the House ought not to grant the noble applicant the relief for which he applied. He said that, under all the circumstances of the case, after such evidence as had been given by Miss Steele,—evidence regarding which he doubted whether it would have been sufficient to obtain a verdict for Lord Ellenborough in a court of common law, after the absence of other evidence which might and ought to have been given,—after the consideration of the facility with which that evidence might have been produced, and of the discretion which the House had in its power, and was bound to exercise in all applications of this kind,—he said it with pain, that under all the circumstances of this case, he could not give his vote in favour of the relief which was sought to be obtained by this Bill.

Mr. *Harrison Batley* congratulated the House upon its having consented to have the evidence taken in this case printed. He had given to that evidence his deepest consideration, and he thought that it must carry conviction home to the mind of every man who read it, that adultery had been committed by Lady Ellenborough. Neither by the divine law, nor yet by the ecclesiastical law, did adultery give a right to marry a second time to the party injured by that adultery. He must come down to Parliament to obtain that right. The interference of Parliament was necessary to obtain that privilege; and he said, that the individual who claimed that privilege at the hands of Parliament, must himself come before Parliament pure and unpolluted in all respects. Now, he maintained, that upon such evidence as had been produced in the present case, Lord Ellenborough would not have gained a shilling damages in any court of common law; for the evidence established, beyond all dispute, that he had not been that faithful and affectionate, and vigilant guardian of his young wife's honour that he ought to have been. It was in evidence that Lady Ellenborough had been in the habit of going to operas, balls, and routes, unaccompanied by her noble husband; and he was convinced, not only by that circumstance, but by others which appeared upon the evidence, that there had not been that attention on the part of Lord Ellenborough to his lady which gave him a right to their indulgence in allowing him the privilege of marrying again. He acted in that House as a representative of an independent borough, and he never would consent to give a vote upon a judicial question like the present, except upon his conscience. Acting thus upon his conscience, he could not vote in favour of the relief which was now applied for.

Mr. *Spring Rice* said, that in justice to his own feelings he could not, after reading the evidence taken in this case, consent to give a merely silent vote. He begged leave, in the first place, to state, that if there had been any thing unprecedented in the course taken upon this occasion by the House, the peculiar circumstances which surrounded this case had fully justified it, not indeed with reference to the parties concerned in it, but with reference to this being an application for a bill of divorce, unsupported by any verdict obtained in a court of common law. He thought that, without entering into the consideration of whether the parties were high or low, rich or poor, titled or untitled, it was the duty of the House, exercising its functions legislatively and judicially, to make the most complete inquiry into any case which had not that groundwork for a decision which was always afforded by the verdict of a court of justice. He, for one, was of opinion that the House had upon this occasion fully discharged its duties to the public; and though he did not think that the House ought to be at all swayed by reference to the rank of the parties, yet acting in the face of the public, he admitted, that if there were to be any exception to its general rule of not examining evidence in cases of this kind, that exception ought not to be found in cases where the parties were rich and powerful, in order to show that its decision was not mere matter of interest and favour, but founded on the strictest and most impartial examination. So far, then, in justification of their recent mode of proceeding. The House had now the evidence before it, and what was the legitimate inference to be drawn from it? Here he must say, that he entirely dissented from the doctrines which had been advanced by his hon. friend, the member for Aberdeen. In his opinion, his hon. friend had not given a fair account of that evidence. If the evidence had been as his hon. friend represented it, he should undoubtedly have come to the same conclusion as his hon. friend, but because he had read that evidence in a sense quite opposite to his hon. friend, his vote would be given in opposition to that of his hon. friend. His right hon. and gallant friend on the opposite benches had done the House only bare justice when he stated, that in the discharge of its functions it had not been influenced by party considerations. The evidence was now before the House, and he repeated the assertion, that he could not understand the constitution of that man's mind who could doubt that in this instance the act of adultery had been committed. If the body of evidence now before the House were not sufficient to prove the commission of adultery, he was at a loss to discover what evidence would be deemed satisfactory. Having said thus much, he would now proceed to express his assent to the proposition that the House had not evidence to justify its withholding from the noble applicant the relief which he prayed for. It was said that in all cases of this kind the conduct of the husband must be taken into consideration. He admitted that it must:—he admitted further, that there was more of carelessness in Lord Ellenborough's conduct to his lady than he could either approve or justify, but admitting that, he must maintain that there was nothing proved in evidence against Lord Ellenborough which would justify the House in withholding from that noble personage the remedy contained it this Bill. In the course of this debate, there had been much discussion respecting the inconveniences, the anomalies, and even the injustice, of their mode of proceeding upon Divorce bills. To many of the observations made upon those points, he gave his fullest and most cordial assent; but on that abstract principle, let hon. Gentlemen proceed to amend the law, instead of applying a new principle to the present administration of it. Such an application of a new principle to this particular case was clearly not a way to do impartial justice. He should therefore give his vote in favour of the present Bill, upon the grounds which he had already stated. But having taken the liberty of saying thus much in discharge of his judicial duty, in which he trusted that no one would suppose that he had wandered from the subject before the House, he must now, in justice to himself, and to his own feelings, add a few words more; not with a view to prejudice this case, but with a view of discharging his duty to the public, in stating his opinion on the present state of the law. Was there one Gentleman, who had attended to the progress of this examination, that did not agree with the observation of Lord Grenville, that Parliament did itself no credit in undertaking functions of this nature? It had been said, that an examination at the Bar of that House was never conducted in a manner that was either creditable to the House itself, or calculated to elicit the truth. Now, if there were one subject to which all the evils, without any of the benefits arising from such an examination, would attach more than to another, it was that subject which connected itself with the character of Divorce bills. He hoped that the time was not far distant when the House, by the alteration of the law, would abdicate functions which it could not discharge either with honour to itself or with satisfaction to the public. He thought, that in no civilized country but our own, was there ever such a principle admitted in a contract between two parties, as this,—that the general principle should be the indissolubility of the contract of marriage, and that the exception to it should be an *ex post facto* law, dissolving it in particular cases; and that, too, by a species of mechanism which gave it as a relief to the rich and powerful, whilst it refused it, under precisely the same circumstances, to the poor and needy. It was a great aggravation of the evil to have it inflicted in the strongest manner in cases where it was likely to be most severely felt, from the humble habits and confined resources of the parties,—in cases where the injured husband had not the same means as the rich of retiring from a disgraced home and a polluted partner. He was happy to find that the whole subject of ecclesiastical law was at present under the examination of commissioners, and he trusted that this subject of divorce would not be without a portion of their consideration. But, whatever might be the views of Government as to the ecclesiastical law, and however much gentlemen might feel that Parliament was lowered by examinations into facts establishing or disproving adultery, he trusted that they would not, because they were discontented with the present state of the law, refuse the remedy which was applied for here. The fact of adultery was fully proved, and as there was no sufficient evidence of misconduct on the part of Lord Ellenborough to justify him in refusing him the privilege for which he applied, he should certainly give his vote in favour of this Bill.

Sir *John Beresford* said, he trusted that the House would do every justice to Lord and Lady Ellenborough and their families by allowing this Bill to pass. After the sentence of the Ecclesiastical Court, the Bill could inflict no evil upon one party, although it might afford relief to the other. Whilst he was this morning at breakfast, reading the evidence taken at the Bar, a lady of rank and respectability, who was intimately acquainted with Lord Ellenborough's family, called in upon him, and in the course of conversation, informed him that, to her knowledge, a more tender husband and father than Lord Ellenborough never existed. She said that his only fault was, that he had always been more liberal to his wives than any man should be.

Sir *Edmund Carrington* said, he had no doubt whatever as to the vote he ought to give on that Bill. He had fully considered the evidence, and made up his mind as to his decision. He could not, however, justify it to his own feelings, either as a lawyer or a gentleman, to give a silent vote upon this occasion, especially as he felt convinced that there was not the shadow of a reason for refusing Lord Ellenborough the relief for which he prayed. He regretted infinitely the state of the law on the subject of divorce, but that was no new subject of regret with him, though he should not have raised his voice against the law, had he not felt himself justified by the various objections which had of old time been urged against it, and by the wishes which some of our most able statesmen had uttered for a reformation of it, which had never been carried into effect. He asserted, that so long ago as the reign of Edward 6th, this defect in our law, this miserable divorce *a mensa et thoro*, was strongly objected to by those great and good men who formed the book of the Reformation of the Law, and who were headed by a man ever memorable in English history—he meant the venerable Archbishop Cranmer. That a divorce *a vinculo matrimonii* could not be granted by some of the ordinary courts of the country, and that it required the intervention of the high court of Parliament, was with him a subject of great regret. When those ordeals were passed through, which must convince all parties that adultery had been committed, he regretted that then there was not in England, as there was in Scotland and in Denmark, both Protestant countries, a complete and easy relief *a vinculo matrimonii.* On what footing did the doctrine of divorce stand? The divine legislator of Christianity had said, that in cases of fornication, which in married persons amounted to adultery, divorces ought to be granted. Why then should not a divorce *a vinculo matrimonii* follow as a matter of course the proof of adultery before the ordinary tribunals? Why should a Divorce Bill, having travelled through a series of examinations before two distinct courts, in which it was surrounded by oaths, be at last sent up to that House to be enveloped in an examination undertaken without an oath? It was sufficient for him to know that those who framed the book for the reformation of the law, several centuries ago, admitted that the state of our law of divorce was inadequate for the purposes for which it was intended. Its inadequacy rendered these applications to Parliament necessary as a supplemental mode of obtaining a remedy for the faithlessness of a wife. There were two points which it was always necessary to prove in such cases. The first was, that the affections of the wife had been seduced from the husband, and that such seduction had afterwards been consummated by the commission of adultery. Now no one could doubt that such was the case here. The *corpus delicti* was clear. There was also another point which it was requisite to prove before the husband was entitled to relief, which was, that he had exercised due care and marital tenderness over his wife,—that he had not improperly restrained her enjoyments or abridged her comforts. Now what was the evidence upon that point in this case? It was material that they should confine themselves to that consideration, lest by running after presumptions, they should inflict upon Lord Ellenborough a most cruel injury. There might, perhaps, be in the evidence a proof of a slight degree of negligence on the part of Lord Ellenborough, of a want of some of those petty attentions to his wife which the forms of society exacted; but there was also in that evidence the most undeniable proof of the unbounded affection which he bore towards her. Miss Steele said, that Lady Ellenborough was always treated with kindness and affection by her noble husband. Such was Miss Steele's evidence. He was not in the House during the speech of the hon. member for Aberdeen; but he was given to understand that the hon. Member had drawn an inference from Miss Steele's evidence which he thought was not only unfounded in itself, but also most cruel in its consequences. Miss Steele said, that when she mentioned to Lord Ellenborough the improper female society to which he introduced his wife, he laughed at the information. This was not the laugh of indifference or of levity, it was not the laugh of sarcasm; at least, he should construe that it flowed from a mind full of unlimited confidence in his wife—a mind free from all suspicion, and rejecting the shadow of dishonour which was implied by the observation against his wife—a mind convinced that it was justified in having an unbounded confidence in her affection and in her rectitude. What was the evidence of the butler, but that the lady had been treated with confidence and respect, with attention and tenderness, uniform and unaffected, and greater than the witness had ever seen in other families? Miss Steele, in giving evidence of the parties having separate beds, had said that this arrangement had been made not only with the concurrence of Lady Ellenborough but at her especial request. That the fact of adultery was established by sufficient proof, was acknowledged by every body. Would any man within that House, or out of the walls of Parliament, say that there was anything in the conduct of Lord Ellenborough that could form the slightest justification of the wife's dishonour, or that could be construed into a pretext for withholding from him the relief he sought? If the evidence did not justify this, was the House to rush wildly to presumption in order to deprive this nobleman of his remedy? He knew that the principle of such bills was a repeal of the law, but it was a necessary supplement to the absurdity of the law. As a lawyer, as a legislator, and as a gentleman, he felt himself bound in justice and honour to say, that from all that had appeared upon the case, there was not the slightest imputation upon the character of the complainant. He would never resort to confused, unfounded visionary presumption, in order to inflict a substantial evil upon any man; and he felt it impossible to vote against the Bill consistently with reason, integrity, and honour.

Dr. *Phillimore* explained. He had not thrown any blame whatever upon the manner in which the case had been discussed and settled in the courts below. His observations had extended only to the proceedings of the two Houses of Parliament in taking cognizance of such cases.

Mr. *Robert Grant* said, that he had never risen to perform a more painful duty than that which was cast upon him by the present Bill. He felt happy indeed to say, that in the few observations he should make, he should have no occasion to make any personal comments or allusions whatever; but he was called upon to express his sentiments in the discharge of judicial functions of a very important nature. Acting with that conscientious feeling on which members of that House were bound to act in all judicial questions, he felt himself bound to say, that the conclusion to which he had come was unfavourable to the relief for which Lord Ellenborough was an applicant. If the principle of divorces adopted by that House be right, if such a principle be allowed, the applicability of the principle to the present case could not, he conceived, be denied. Every Gentleman who had admitted the expediency of passing the Bill, was of opinion that there was a peculiarity in the case by the House being called upon to come to a decision without the usually preceding examination and judgment of a court of law. He implored the House to consider how important it was, that such inquiry should be had, not merely in this, but in every other case of adultery. If a verdict of a jury had been given, by the husband's seeking a pecuniary compensation for his wife's dishonour, the evidence would have been thoroughly sifted, and it would have been competent for the defendant to have repelled the evidence to prove the adultery, or to have established a case against the plaintiff which might have effected a reduction of damages. He might have proved ill-usage on the part of the husband; he might have proved connivance or collusion, or flagrant immorality and libertinism on the part of the husband, or at least a very high degree of culpable negligence. Whenever a defendant attempted to prove any of these defences, and failed, no such objection could be made as was made in the present case: where he succeeded, no damages would be given, and no groundwork would be laid for such a bill; it of course would never be brought before Parliament. Where a defendant had not attempted such a line of defence, there would be a strong presumption, because he had not attempted to prove such misconduct, that there had been none on the part of the husband. In such a case the House would be convinced, by looking at the preliminary proceedings, not only that the husband had properly performed his duty, but that he had also not been influenced by any of the considerations to which he had previously alluded. In the present case there could be no question that the criminal act had been committed. There had been no attempt made to prove the innocence of the wife: the only attempt was, to destroy the claims of the husband. When a case like this came before Parliament, without the institution of any proceeding in a court of common law, it was clear that all those guards which he had just enumerated against a collusive understanding between man and wife were totally wanting. Was there any person who could supply that void? Yes, there was one person, and one person only, and that was the husband. If they did not intend to open the door to the most frightful devastation of principle among the higher orders of society, they must lay it down as a principle that the husband should supply that part which was defective in his case, and that he should produce evidence to convince the House that no such defence could have been attempted with success. He said that it was in the power of the husband to do this—it was not calling upon him to prove the truth of a negative, though every one knew that there were a hundred cases in which that species of proof was demanded in a court of law. He said, that by producing witnesses familiar with his habits and proceedings, it was in the power of the husband to place his conduct towards his wife fully before the House, and to produce in the mind of every hon. Member a moral conviction that he had not been wanting in any of those attentions towards his wife, in which, if he had been wanting, his claim to damages would have been destroyed. The House, it was true, had the power to send for different witnesses, and to examine them; but it was not in the power of the House, without some previous information respecting the private habits of his life, to get the truth on such points from reluctant witnesses. He begged to say, that he did not intend to impute to the noble Lord who now asked for relief, any of that conduct which he had been putting in hypothetical cases; but he was entitled to say, upon the evidence which had been taken, that except the point of unkind treatment, none of the other points to which he had alluded was negatived by the evidence then before the House. Hon. Members said, that they had not judicial evidence before them that Lord Ellenborough could be charged with any of those acts, of which a defendant could have availed himself before a jury. To say that you had not judicial evidence on such charges, was merely to say that you had no evidence to the contrary. He said that the House ought to have evidence to the contrary. For the sake of shutting out collusive applications from husband and wife for these divorce bills, it was of importance to hold it out as a general principle, that the House would throw on the applicant the burthen of showing, that if there had been a trial at common law for damages, it would have been in vain for any defendant to have set up the husband's misconduct as a defence to such an action. Such were the grounds on which he felt a moral incapacity to support a measure like the present.

Dr. *Lushington* said, that if he were to consult the dictates of his own inclination, he should not take any part in this discussion; but, on mature reflection, he felt that he should fail in his duty, if he did not state the impression made upon his mind by the evidence which had been taken. It so happened that he, as Chancellor of the Diocess of London, had to pronounce the sentence of divorce *a mensa et thoro* in the Ecclesiastical Court: and here he could only say, that no one who read the evidence produced before him could help seeing that it was impossible not to grant a sentence of divorce. Whatever might have been his conviction of the necessity of the judgment which was pronounced in this case, he considered himself, acting in that House as a Member of Parliament, and in a very different species of proceeding with a view to pronounce a more extensive judgment, at liberty, if on the perusal of the evidence he thought it right to do so, to refuse the party the remedy now prayed for, of a totally different description from that already granted, and on the production of other evidence. He could not help thinking that there was one circumstance in the case which he was bold to advert to without the least hesitation, though it was painful to him to do so, and which had produced an impression that ought not to have prevailed,—he meant the general unpopularity of Lord Ellenborough. It was a misfortune that it should be so, but he knew from what he heard from many Members of that House, that such was the real state of the general feeling. He did not mean to say that every Member whom he was addressing had not used his utmost endeavours to divest himself of that feeling, but whether that were the case or not, the unpopularity of Lord Ellenborough had been the means of exciting an interest in the House, and of inducing a critical examination of the witnesses and the evidence which would not otherwise have taken place. He confessed that no man felt more than himself the unpopularity of Lord Ellenborough. No man could be more perfectly convinced that such was the case, and when he stated that, it could not be thought that he meant to flatter his Lordship in one word which he might say. But when he recollected that the measure was brought forward in the House in the ordinary course, the first thing he tasked himself with was to consider the evidence as an honest man, calmly and dispassionately. He had done so to the utmost of his power, and the result at which he had arrived was, that, in his judgment, his Lordship was entitled to the relief which he prayed for. His reasons were these:—In the first place, no man who had read or heard the evidence could for a moment entertain a doubt that adultery had been committed, which was the foundation of all such measures. Well, if that were really the fact, according to the established practice which had prevailed at least for the last twenty or thirty years, in cases of this description, it was necessary, in order to deprive the husband of the relief which he sought, to prove on his part either criminal negligence, or connivance, or collusion. He would direct the attention of the House to the evidence, and ask whether there had been established against Lord Ellenborough criminal neglect of his lady, connivance at her offences, or collusion in the slightest degree. When the House considered the habits of high life, when they considered the customs of the world, would they try the present case by a different rule from that which had guided their decisions with respect to the last dozen cases of divorce? Would they require Lord Ellenborough to say—"I am more pure than any of my noble friends. I was more cautious and wise than the noble Lord or Baronet who obtained the last divorce. My suspicions were awakened by that which had awakened the suspicions of no man before?" It was, in his opinion, the greatest injustice imaginable to lay upon the husband the *onus* of proving his innocence. He felt the deep importance of the subject, and he trusted that no syllable which might fall from him would be wrested to a different tendency from that in which he meant it. He felt it to be of the deepest importance, that every individual, be he high or low, should duly discharge his marital duties. If he had the slightest reason to believe that his Lordship had cause to suspect his lady to be in danger, and still suffered her to go on in her course, or that his suspicions were not excited by circumstances which ought to awaken the suspicions of an affectionate husband, he would be the first person to refuse him the relief which he prayed. There was, however, but one ambiguous passage in the whole of the evidence, and that was to be found in the testimony of Miss Steele, when she stated that Lord Ellenborough received her information with a laugh. It was doubtful whether his Lordship evinced that emotion from a disregard of consequences, or merely smiled at the suspicion of the witness on account of his confidence in the integrity of his wife. The witness believed it to have proceeded from unlimited confidence, and with that fact before him, by what law of justice could any one fix on an ambiguous passage a meaning hostile to the honour, and inconsistent with the character of an upright, honourable, and candid man? If the same sort of test were to be applied generally, any man, however alive to his own honour and character, would be unable to obtain relief from that House. Who was there who might not be made the victim of an ambiguity, if his whole life and character were allowed to have no weight against it? There was then no proof that Lord Ellenborough had been negligent of his own honour, or had not paid due attention to his wife's conduct; and as to collusion, he believed that no person would have the hardihood to prefer that accusation: at least he was sure that there was no evidence to support it. If that, then, were the real state of the case, what reason was there for the House to refuse Lord Ellenborough the ordinary remedy? He felt great diffidence when he took upon himself to make any answer to his hon. and learned friend, Dr. Phillimore, whose observations were always entitled to particular weight, for the double reason, that they proceeded from the dictates of an honourable and a conscientious mind, and a delicate and informed understanding. His hon. and learned friend's chief objection to the measure was the accidental absence of the verdict of a jury. The present was not the first, nor the second, nor the twentieth case in which such a verdict had been wanting. The absence of a verdict might arise from a variety of circumstances, but it must not be visited upon the individual who came for the remedy of his misfortune, deprived of the additional remedy which the law could give him. A man might be guilty of criminal conversation with the wife of any of his hon. friends around him, and he might escape to the East or to the West Indies, and thus deprive the injured party of all means of obtaining that test, the absence of which was now so strongly insisted on. But in reality this test was a pure nothing. He spoke from experience—it did not in one case out of twenty elucidate the real facts of the case. In many instances, the person who has committed the adultery, from a feeling of delicacy towards the wife, made no defence; on other occasions, both parties were anxious to obtain a divorce, and therefore nothing in the course of the trial came out against the character of the husband. Under many other circumstances, too unnecessary to enumerate, the facts of the case were not brought out, and consequently the test was good for little or nothing. And when from a concurrence of events there was no possibility on the part of the husband to bring the matter to this test, was he to say to him that these circumstances, over which he had confessedly no control, were nevertheless to throw on him the onus of doing—what?—of bringing to the Bar of the House all the members of his family, to the end that, on the minutest cross-examination, nothing should appear against him. God forbid that this should take place. It was one of the chartered rights of this country, that no man should be put upon his defence until a case was made out against him. They had no right to say to Lord Ellenborough, you have not made out your own innocence; and if he had proved the adultery, and if nothing reflecting on his conduct as a husband in one of the three ways already stated appeared from the evidence of any of the witnesses, he had done all that was to be expected from him, according to the general practice in such cases, and the man who set up the exception must prove the guilt. He had now stated his opinion frankly and fearlessly; and while advocating the measure of relief sought for by his Lordship, he expected no gratitude from him. He thought the House could not refuse this Bill in the face of all their former decisions. He remembered the proceedings in such cases for a period of fifteen years; he never knew an instance (although in many cases facts of a much stronger nature were adduced against the individual seeking the divorce)—he never knew an instance in which there was so strict an investigation. Questions unparalleled in a court of justice had been asked—questions that ought not to have been tolerated in any court were pressed — questions calculated to draw forth criminating answers—questions calculated to produce a particular effect, and one which was not founded on truth, which ought alone to be sought after in a judicial assemblage. He was grieved at what had passed. An hon. Member had expressed a wish that the time would soon arrive when the House would no longer be called upon to interfere in cases of this kind. In that wish he heartily concurred. Would to God that this were the last case of divorce that might ever come before the House, that that might be the last time the House of Commons would ever have to interfere in such a question. He declared solemnly that there was nothing more repulsive to his feelings—nothing in his mind more degrading to the House of Commons, than to witness the full and anxious attendance of hon. Members in a case of this kind, and the private curiosity evinced by many of them to pry into domestic concerns. When he was called upon to discharge his official functions in cases of this nature, he considered it one of the greatest evils which could happen to him. Could he do otherwise then than say, would to God the House were spared the disgrace of such proceedings—would to God the Marriage Laws were placed upon some solid basis—that some regulations were laid down, a deviation from which would at once entitle the aggrieved party to a divorce, whether that party was of high or low degree; and mark me (continued the honourable and learned Gentleman), whether male or female. Great injustice was sometimes done in these matters. He only remembered one instance in which a case had been decided out of consideration to the female. This took place in the year 1801; and having said this, he would not enter farther into the case in which (as we understood him to say) there was proof against the husband of an incestuous intercourse. He would next cite a case to prove that no fixed rule prevailed in the proceedings of the House respecting such measures. In the year 1757 Lord Powis was divorced from his wife, without any previous sentence of the Ecclesiastical Courts, and without any verdict of damages in a court of Common Law. This showed what a body of gentlemen might do with laws founded on no fixed principle. He had next to observe, that for forty years after the Reformation no divorce bill had been considered by the House of Commons; all questions of divorce were decided by the House of Lords and the Ecclesiastical Courts. Then there was a complaint that to grant divorce was a violation of God's law; but if that were so, it would not be less a violation of that law that the divorce were the act of the whole Legislature. He most cordially agreed with the hon. member for Limerick. He wished to God that there was a new system—but he must say, that if on the present occasion they refused Lord Ellenborough the remedy he sought, his honest and deliberate conviction was, that they would be, in the face of the testimony, stamping his Lordship with the commission of guilt—that they would be most unjustly branding him with offences of which there was not a tittle of evidence.

Lord *F. L. Gower* said, he rose to congratulate the House and the country on the speech he had just heard. The hon. and learned Gentleman had done as much as man could do in controverting a certain set of arguments which had been brought forward by some hon. Members, and which, he thought, might be well described without imputing motives to any hon. Gentleman under the appellations of cant and sophistry; and the hon. and learned Gentleman had done still more, for he had also dealt, after a most convincing manner, with the close and honest reasoning of the hon. and learned Member who had preceded him. As far as he could see from the course of the debates, one of the principal arguments adduced would tend to revive the ancient practice of compelling the accused to bring twelve compurgators into court. Other arguments went to enforce the close inspection of their partners' conduct, which accorded better with the practices of Southern and Eastern climes than with those more liberal customs which had been proved, by long experience, the best safeguards of an English husband's honour; and God forbid that the House of Commons should ever afford any reason or sanction for the adoption of principles and practices which were repugnant to every generous feeling. He agreed with many hon. Members in what they had said respecting the state of the law; and he considered that the time devoted to that discussion would not be all lost, if out of those proceedings something should take place to amend that law, which was allowed on all hands to be prejudicial and defective.

Mr. *Trant* declared, he had been led to adopt the opinions of the hon. member for Inverness, and would vote against the Bill. He trusted that the House would not shrink from the performance of its duty, however painful. He was not unfavourably disposed towards Lord Ellenborough, or in any manner influenced by the unpopularity of the noble Lord. He had not the honour to know him, and had never taken his conduct at all into consideration, except when a hon. friend of his asked some questions relative to a letter written by that noble Lord. He had then felt it his duty not to approve of that noble Lord's conduct, but that feeling was wholly the result of taking into consideration what was due to the public. Had he felt any prejudice against the noble Lord, he would have absented himself on that occasion. Being sensible, however, of no such prejudice, he had been present at all the proceedings, and the conclusion he had come to was that which he had already stated. As long as the Constitution threw the burthen of deciding cases of that kind on the House of Commons, so long he should think it his duty to pay attention to such bills, and give no vote on them without a conscientious conviction of its justice. But being convinced of the justice of any particular vote, he never would hesitate to give it, and certainly his vote would be against the Bill. He was sorry to have said so much, but imputations of improper motives having been scattered about, he thought it right to declare his opinions and explain the motives that guided his conduct.

The Marquis of *Blandford* said, he would give his vote upon this question uninfluenced by fear, favour, or affection —by envy, hatred, or malice. The evidence did not appear to him to be satisfactory—it was not, in his opinion, sufficient to entitle the noble Lord to a farthing damages in a court of law. He allowed that the adultery had been committed; and therefore his opposition arose, not from any doubt of this fact, but from his belief that there was a collusion between the parties to obtain a divorce. He thought, too, that the long-continued neglect of Lord Ellenborough deprived him of all right to the relief he claimed at their hands. He was not desirous of insinuating that such neglect justified the conduct of the lady, but it certainly was an extenuation of it. He believed in his conscience that Lady Ellenborough had been neglected, abandoned, and sacrificed. There was no good proof of the existence of connubial felicity, or that his Lordship had enjoyed the comforts of matrimony; on the contrary, it was in evidence that he had not enjoyed them, and most probably by his own fault. It appeared that the parties had not cohabited for months before their final separation. And when the youth and inexperience of her Ladyship were taken into consideration, and when it was remembered that she was subjected to the mischievous influence of gay and profligate associates, in disregard of warning given, and suffered, with a blind confidence on the part of his Lordship, to roam about unprotected, he thought there could be little doubt that she had been sacrificed, and he had as little doubt that Lord Ellenborough was not entitled to the relief he sought. Although reluctant, he felt himself compelled to vote against the Bill.

Sir *G. Clerk* said, he could not let the question go to a vote without saying a few words. The hon. and learned Gentlemen opposite objected to the species of remedy, but till the law should be altered, a Bill like this was the only remedy; and surely when adultery had been proved, the House would not withhold a divorce *a vinculo matrimonii.* The hon. member for Inverness opposed the Bill, because there had been no action at common law; but it was impossible for Lord Ellenborough to have recovered damages, the party being a foreigner, and having left the country, and therefore it was unfair to blame him for the absence of a verdict. The hon. Member was afraid, that if the House permitted Divorce bills to pass without a verdict having been obtained, that there would be continual collusion, without the possibility of a remedy. But the hon. Member need not fear that, for the Standing Order of the House required that no Divorce bill should be brought forward, unless the verdict were laid on the Table, or a sufficient cause shewn why that could not be done. The cause in this case was, that one of the parties was not amenable to our tribunals, and it would be a flagrant injustice to Lord Ellenborough to deny him relief, because he had it not in his power to obtain a verdict in a court of justice. No one, with the exception of the hon. member for Aberdeen, appeared to entertain any doubt as to the commission of the act of adultery. The question then was—was there anything in Lord Ellenborough's conduct which ought to deprive him of the remedy which he sought? There certainly was nothing in the evidence to justify hon. Members in taking such a view of the question. The hon. Member (Mr. R. Grant) said, that his Lordship ought to have proved her innocence and his own good conduct; but that objection had been so ably answered by the hon. and learned civilian (Dr. Lushington) who had lately addressed the House that he thought further remarks on it unnecessary. If the hon. Member, however, had any suspicion of the fact—if he thought the evidence which had been produced insufficient, he might have called for further evidence. He was informed that all Lord Ellenborough's servants were in attendance. He might have called for some of them. He was astonished also to hear the noble Lord who last addressed the House, talk of Lady Ellenborough as having been neglected, abandoned, and sacrificed. He called upon his Lordship to point out any part of the evidence which justified that description. It was impossible to do so. There was not a tittle of evidence to support such an assertion.

He might perhaps, but he did not, complain of the tone and temper in which the investigation had been conducted; but looking at the statements out of doors, there could not exist in the mind of any impartial man a doubt that a foul conspiracy had been existing for some time, for the purpose of blasting the character of Lord Ellenborough, and particularly when he considered the moment at which part of the public press introduced long articles on the subject, on the very day on which the discussion was coming before Parliament, which could proceed from no other motive but, he trusted, the impotent motive, of endeavouring to prejudice the minds of Members of that House, who were called upon to decide upon the question by the evidence before them. As to the want of proof that the parties had lived in a state of connubial felicity, he begged to remark, that the evidence of one of the unfortunate lady's nearest relations went to say that, as far as he—speaking as a father and husband—knew, nothing could exceed the kindness and attention of Lord Ellenborough. Then, as to the chasm left in the evidence of the Hon. Mr. Law, he contended that it was amply supplied by the testimony of Miss Steele, who visited the family frequently, and had been acquainted with Lady Ellenborough from her earliest years. He called on any man to look at the letter which Lady Ellenborough had written to her husband just before their separation, and that which he had written to her some time previously, and those letters would show what degree of affection existed between them—affection in reality on his part, but assumed on hers, to conceal from him her real situation. The principle contended for by the hon. Member opposite (Mr. H. Batley) was, indeed, new—that that House ought to grant no divorce to any man who suffered his wife to go unaccompanied to balls or the opera. If that was to be in future the principle which was to regulate their conduct, society must, indeed, assume a very different form from that which it had hitherto borne; and he would ask, whether any man who had duties to perform—who, for instance, was engaged in important public business—was to be strictly bound by such a principle? What had been the noble Lord's situation? In the year 1828 the noble Lord had occupied a public situation, to the duties of which he was obliged to pay a very constant attention, and in that same year commenced that unfortunate acquaintance with Prince Schwartzenberg which had terminated in this very unhappy manner. The noble Lord had not introduced Prince Schwartzenberg to his house, and possessed no means whatever of knowing what his lady did in his absence. It appeared in evidence, that Lord Ellenborough never saw the Prince at his house, and he had no opportunity of knowing anything about the connexion. It was no accusation against him to say that during a great part of the middle of the day his wife was absent from home in the carriage. It was impossible he should always inquire where she had gone; she might have ordered out the carriage to take an airing, or to go upon the necessary and proper business of her household; at that particular time of day the noble Lord was engaged in public business, and he was often so engaged when Lady Ellenborough wished to go to the opera or to balls. If his wife had a fancy for enjoyments of that sort, was he to debar her from them merely because his own engagements prevented him from joining her? That was precisely the case with Lord Ellenborough. He had the most unbounded confidence in Lady Ellenborough's honour; and as his public duties rendered it impossible for him always to accompany her, he did not refuse to allow her those enjoyments of society in which she might properly participate. On these grounds he saw no reason for blaming the conduct of the noble Lord; and whatever were the objections that might be made to the mode in which divorces were now granted, he thought it impossible for the House to refuse to grant this Divorce, without at the same time throwing a foul stigma on the character of the noble Lord, which he thought they could by no means wish to do.

Mr. *Monck* said, that there were suspicions in this case, as there must be in every case which was not submitted to the decision of a jury; but he did not think that there were any good grounds for imputing misconduct to his Lordship. It was, therefore, impossible for him to refuse his assent to the present measure. He agreed in general with the principle of the Mosaic law, that infidelity was a ground for divorce; but that general principle must have some certain exceptions, not, perhaps, distinctly expressed, but not the less clearly understood, according to that maxim of the civil law which said, *ubi minus dicitur plus intelligitur*. He looked at the evidence to see whether the case came within one of these exceptions, and he came to the conclusion that there was an entire absence of a preconcerted plan. He thought the case had a natural origin, and had been conducted to a most unfortunate result. The most suspicious circumstance in the case was the want of cohabitation with Lady Ellenborough. But that circumstance was explained by Miss Steele, who said, that the non-intercourse was at the lady's own desire. She certainly had a good reason not to desire it, for at that very time she was in criminal cohabitation with Prince Schwartzenberg, and during that cohabitation she must have viewed, if not with disgust, at least with indifference, the noble Lord her husband. On these grounds he thought enough had been shown to free the noble Lord from the imputations which at first had been cast upon him, and to justify the House in granting him, to the fullest extent the relief for which he sought.

Colonel *Wood* said, that having been in a manner appealed to upon this subject, he felt bound to say what he knew respecting the conduct of the noble Lord. He was the better able to do this, because he had married a sister of the noble Lord's former wife, and he thought he should not do his duty to the noble Lord if he did not bear testimony to the excellent conduct of the noble Lord towards that Lady. He thought that the argument which went to blame him for having allowed his wife to go out without him, had been fully refuted by those who had spoken in favour of the Bill, and he would, therefore, only make this observation on the course pointed out by hon. Gentlemen who advanced that argument. If that course were to be pursued, instead of being English husbands, they would be converted into suspicious persons of a very different character. He was of opinion that they ought to treat their wives with attention and kindness, remembering that they were English-women, and that they ought not to be blamed for placing unbounded and unlimited confidence in them.

Lord *Francis Osborne* thought, that more evidence might and ought to have been produced. If they were to retain their judicial functions in matters of this sort—though, in his opinion, the sooner the judicial functions of that House ceased the better—he said, if they were to retain these functions, they ought to do justice somewhat according to the rules in other places. He must confess that he still entertained his suspicions, and that he could not vote for the Bill.

The cries of "Question," which had been frequently renewed, became more loud than ever, and the House then divided, when there appeared—for the third reading of the Bill 86—Against it 16—Majority 70.

List of the Minority.

Attwood, M.	Phillimore, Dr.
Batley, H.	Trant, Henry
Calthorpe, Hon. Fred.	Osborne, Lord Francis
Beaumont, Thos.	Waithman, Alderman
Frankland, Robert	White, Samuel
Grant, Right Hon. C.	Wood, Alderman
Grant, Robert	
Inglis, Sir R. H.	Tellers.
Lambert, James	Blandford, Marquis
Stewart, John	Hume, Joseph

On re-entering the gallery,

Mr. *Hume* was addressing the House. The hon. Member complained of the conduct of other hon. Members in casting improper imputations on the motives of those individuals who had opposed the Bill. He did not complain of hard words merely, for to them he was pretty well accustomed, but of imputations which were most unfounded, and, therefore, most unjust. He complained especially of the hon. member for Tregony (Dr. Lushington) who being himself so well acquainted with the manner of examining witnesses and sifting evidence, and who must, therefore, be well aware of the different impressions it produced on different minds, should yet have told the House that those who were of an opinion contrary to that which he held, were not men of honest and upright minds. He thought such an observation most uncalled-for and unwarranted. An hon. Member had then accused those who opposed the Bill of having opposed it merely because Lord Ellenborough was unpopular. He denied the fact. The first time he had heard of that unpopularity was in that House. He asserted that that hon. Member was wrong in the ground he had taken—he assumed that there was no evidence to implicate Lord Ellenborough, although he must have recollected the opinion given by an hon. and learned Member, who had clearly stated, that not only no fault ought to be capable of being proved against the person who asked for the relief, but that he himself must show he was clear from imputation. Yet, notwithstanding this, the hon. Member had said that there was no imputation on Lord Ellenborough, and that those who differed from him in that opinion were not upright or honourable-minded men. [*Some hon. Member was understood to deny that such words had been uttered*]. He should be glad to find that he had mistaken the words of the hon. Member. But while those who had voted with him on this question were thus accused, there were many hon. Members who avowed themselves friends of the noble Lord. They came into that House then, not as judges, but as friends of one of the parties; and he thought it extremely unfair of them, because they were able to interpret the evidence by their own knowledge of the real circumstances of the case—because they had the links of the whole chain in their hands—and because those who voted with him wanted those advantages, that they should be thus accused, and thus have contempt hurled upon them. The hon. Gentleman must allow him to say that his blame was not consistent with that liberality of opinion which he was often heard to profess. Another hon. Member had said that no man of sense and decency could come to the conclusion at which he (Mr. Hume) had arrived. Had any one expression warranted the hon. Member in saying that? As to sense, God knew he might have but little sense; but as to decency, he boldly asserted that there was not one question, from the first to the last, put by him, that warranted a charge of want of decency. The charge was inapplicable, therefore; and it was unjust, because it was inapplicable. These hard words did not affect him, for he was used to them; but the imputations which they conveyed were not at all warranted. The right hon. Gentleman had said, that false and foul imputations had been made. He (Mr. Hume) had made certain statements —were these terms applicable to him?—were they intended to apply to him?—if so, he threw them back as undeserved; and therefore as inapplicable.

Sir *George Clerk* said, he spoke of reports out of doors.

Mr. *Hume*, in continuation said, he knew nothing of what had been done out of doors. He certainly had not made any false and foul imputations. Then it was said there was a conspiracy among those who opposed this Bill. He challenged proof of that assertion. If it were true, he was ready to declare that any one who was a party to it was unworthy to sit in that House. The fact was, that that novel and indiscriminate charge was utterly without foundation. He was of opinion that in this, as in other debates, moderation and coolness ought to be adhered to, and Members ought not to allow themselves to be carried away by their feelings. With respect to the charge of conspiracy, he would say distinctly for himself, that he was not the man who had had a communication from any man out of doors upon this subject. He called on the Member who made the charge to say on what authority he had made it. It was said that the noble Lord had been vilified and calumniated. That did not apply to anything that had fallen from him. He did entertain an opinion that the noble Lord had been too negligent; but he never denied that the criminality was fully established against the lady. He had no doubt, from all the circumstances, that the adultery must be taken as admitted; but he was not satisfied that the noble Lord had done his duty in observing the conduct of his lady. That was the ground of his whole objection. It appeared to him unfair, that a question of this kind could not be argued without such expressions. When he heard one learned Doctor of Law state an opinion, and immediately afterwards heard another learned Doctor of Law give an opinion diametrically opposite—the one saying he would not vote for the Bill because there was not proper evidence, and the other declaring that no one could read the evidence and not determine on granting redress to the noble Lord—when he heard, in addition to this, an hon. Gentleman opposite, stating the unwilling conviction of his mind that this was not a case for relief—was he to be abused and censured, because he took that course which seemed to him to be best, amidst those conflicting opinions? Such a mode of conducting the debates did little credit to the House of Commons, and he hoped such a scene would never again happen. The Government had the power to remedy the evil, and this Session ought not to be suffered to elapse without the remedy being afforded; and if no other benefit arose to the public from these proceedings, he trusted that at least they would derive the advantage of having the present mode of procedure abolished, and another substituted, which would be more consistent with the object of doing justice to the individuals, than anything that could be effected under the present system. He was sorry if he had expressed himself too warmly; he had sat quietly as long as possible; but because he happened to have commenced the discussion, all the attacks had been directed against him, and he thought he had been called on to express his disapprobation of the course that had been pursued.

Dr. *Lushington* said, if he had conceived it was within the power of misapprehension itself so to have misapprehended what had fallen from him, as he now found it had been misapprehended by the hon. member for Montrose, perhaps he should have remained silent on this discussion. But he had never believed that such a power of misrepresentation could have existed in any individual. That any man who had the faculty of recollection, that any one who had the power of stating facts that had previously happened, should have got up within three-quarters of an hour after he had delivered his speech, and put into his mouth sentiments which he had never uttered—conceptions he had never entertained, and which he had never given any man of common apprehension reason to believe existed in his mind, was most wonderful. There was no safety for any man if, speaking in plain intelligible language, his terms were to be tortured into meaning they did not bear, unless the House had a short-hand-writer at the Table at once to refute representations that were totally unfounded. What had he said? He had been accused of having said that the opposers of the Bill had been carried away by the influence of the unpopularity of the noble Lord, and had for that cause alone been betrayed into attempting to do injustice. Now what he had really said was, that he lamented he had found a strong feeling against the noble Lord on the ground of his unpopularity; but it was only the hon. Member who could have converted such an expression into a direct charge that that hon. Member was influenced solely by such a motive. The hon. Member had said that he knew nothing of that unpopularity, but were it not for his confidence in that hon. Member's statements, he should have had a little difficulty in crediting such ignorance. What had he (Dr. Lushington) said? Let the hon. Member mark his words, and remember them. They were these:—He said that there was an unpopularity attached to the noble Lord, but that he was certain that every hon. Member who came down to that House to vote on that subject had done his best to divest himself of its influence. When he said that, to be told that he had uttered exactly the reverse, and to have expressions imputed to him which, without exception (unless, indeed, he excepted the hon. member for Montrose), every human being who had heard him knew he had never uttered, was a little hard. But that was not all: he was told that he had made an accusation that no man had opposed the Bill who had not been influenced by unfair prejudices and partial reasonings. That was pure imagination. It was not misrepresentation; it did not deserve the name; it was absolutely invention. He could put up with having his words tortured; he could put up with misrepresentations; but he put it to the House whether any debates could be carried on with facility if hon. Members were to indulge their fancy, and to put into the mouths of others, sentiments which they never uttered, and which, indeed they abhorred. He complained, in his turn, of an unjust, an unfounded, and unjustifiable attack, not of a misrepresentation, but of an invention which no fair, no honest, no honourable, no common sense Member of that House could have the slightest possibility of believing he had ever uttered. He would say no more. He ought to beg pardon of the House if he had gone too far, but he felt it due to his own character, and to that of all the Members of that House, to say something in reply to the hon. Member, for he did not know what would be the effect on all if they were to allow to pass unanswered not merely misrepresentations but inventions. He thought that such conduct as that on which he had commented deserved the reprobation of all honourable, honest, and intelligent minds.

Sir *H. Hardinge* certainly seldom had to accuse the hon. member for Montrose of invention, and in this instance he only meant to say, that that hon. Member had mistaken his arguments. He had said, that that hon. Member's view of the evidence was a perversion of it, and he was still of that opinion. The hon. Member had argued that a case of sufficient adultery had not been made out. Surely that was a perversion of the evidence. In stating to the House that calumnies had been thrown out against his noble friend, he had never meant to put the invention or the circulation of those calumnies upon the hon. Member: he had only accused the hon. Member of taking a most perverted view of the evidence. He found that, in the skirmishes which he and the hon. Member sometimes had together, although he had a pretty good head for an estimate, he had but little talent for a question of morals or of law; and so this evening he had not done himself much credit, either as a moralist or a lawyer. As to what the hon. Member had said regarding the accusation of a want of decency, he had only alluded to what the hon. Member had said regarding English women never denying the exercise of certain privileges to their husbands, and he could not admit that in what he had then said he was wrong.

Mr. *S. Rice* said, that whatever disputes there might be as to the propriety of granting this divorce, there was no one who disputed that the present law was bad, and that the judicial duty which the House had just exercised must always be most imperfectly performed by them. The conclusion he took to be this—that if they allowed the Session to pass away without making any attempt to remedy the evil, when all admitted its existence, he thought they would not stand well with the country, nor could they be considered as having discharged their duty to their constituents.

Mr. *W. Smith* had given his vote for the Bill, because he thought that the facts of the criminality had been so distinctly proved. He trusted most sincerely that this mode of proceeding would be speedily altered. He had been scandalized at the House permitting a person of such respectable character as Miss Steele to be brought to that Bar, and there questioned in a manner that seemed to him unnecessary, and if unnecessary, was most discreditable to the House, and that offered a monstrous and detestable affront to female delicacy. That a woman should be exposed to such an examination, merely because she happened to have been in a situation which no woman need be ashamed of having held, was most distressing; and every one must regret, that because the woman, in whose family she had resided, had not performed her duty, it should have become her duty to be placed at that bar, in the presence of 300 or 400 Members, and there exposed to have questions put to her about matters of which it was to be supposed she could not, and indeed ought not, to be cognizant. If the examination was unnecessary, it was a disgrace to the House, and ought no longer to be suffered; and that it was unnecessary no one could doubt, for the examination was not taken at their Bar on oath, and if it had been taken elsewhere on oath, and could have been furnished to them for their information. He hoped that an alteration of the mode of proceeding would be speedily carried into effect.

Sir *G. Clerk* said, the hon. Member for Montrose had misrepresented him very much. He did say that no person could see the articles that appeared in the public press for a few weeks past without coming to the conclusion that there was a studied attempt to influence the decision of that House. And if he did not know the extraordinary talent for misapprehension displayed by the hon. member for Montrose, he should have been led to believe that the extraordinary perversions which he had displayed before the House that evening were not the result of his having read the evidence, but had been taken from some of these publications. But he supposed that they really did arise from the extraordinary formation of his mind.

Mr. *Hume.*—"That is very impertinent: but I am glad that these observations will be made public."

Mr. Alderman *Wood* voted in the minority, because he was of opinion that the noble Lord ought not to receive the relief he claimed. He knew nothing about his unpopularity either in that House, with the country, or with the ladies. Certainly the situation of the noble Lord, whether he were popular or unpopular, was not enviable.

Sir *H. Hardinge* rose amid considerable confusion, to order, and observed, that what had been stated was a most foul and atrocious calumny. His reason for rising was, that the hon. Alderman, member for the city of London, appeared to be making observations re-echoing the foul and atrocious calumnies which were in circulation.

Mr. Alderman *Wood* had not the slightest intention of doing what the gallant officer appeared to imagine. The observation he had made was in allusion to what had fallen from the hon. and learned member for Tregony, as to the supposed unpopularity of the noble Lord. For his own part, he was not aware that the noble Lord was unpopular. How could it be imagined that a noble Lord, who filled a high station as a Minister of the Crown, should be unpopular. It would not be doing justice to the noble Lord to suppose that he was an unpopular member of the Ministry [*a laugh*]. He was merely stating why he gave his vote as he did, and he hoped it would be the last vote of this description which he should be called on to give. He hoped there might be no more bills brought in under such circumstances. Nevertheless he should himself have occasion, perhaps, to bring a bill of the same nature into the House; but he was sure he should have a better case than the present. Surely we were not to be judges in such a case by what passed at the Bar, which, to some of the young men present, might be very agreeable, but perhaps it was not so to the seniors. Probably this was the last Session, if it were not the last case, in which the House would be called on to legislate under such circumstances. He now gave due notice he should have a bill. He was of opinion that the evidence did not bear out the bill, and that there ought to have been further inquiry; but no opposition was offered by the other party, and every thing considered, he thought the noble Lord had been let off very lightly [*a laugh*].

Sir *H. Hardinge* wished to set the hon. Member right as to what he had said. He meant that there had been gross and atrocious calumnies publicly circulated against Lord Ellenborough, stating that he was anxious to re-marry. He repeated, this was a most gross and atrocious calumny. Thinking that the hon. Alderman alluded to those statements, he rose to order.

Mr. Alderman *Wood* assured the gallant officer that he had not much time for reading newspapers, in which he supposed the statement complained of was contained. For his own part he had certainly never heard of it.

Mr. *Croker* wished to make a single observation as to the present state of the law with regard to marriage. There was one law for marriage in England, another law of marriage in Scotland, and in Ireland there was no law of marriage at all [*a laugh*]. As a matter of course, the laws relating to divorce partook of the diversity of the law of marriage, and were affected by the want of law on the subject. When the law of divorce came under consideration, he should press upon the House the necessity of putting the law of marriage—which was the foundation of all social order—upon an uniform footing in every part of this now United Empire.

The question that the Bill do pass was put and agreed to.

STAMP DUTIES.] Mr. *Huskisson* presented a Petition from one of his constituents, named Middlewood, who carried on the trade of a perfumer, and had invented a soap, composed of vegetable matter, which was serviceable in promoting the growth of hair. He wished particularly to call the attention of his right hon. friend, the Chancellor of the Exchequer, to the subject. The petitioner complained of the system of Stamp Duties upon Patent Medicines, and stated that he had been fined, and was now under prosecution by the Board of Stamps. This the petitioner represented as a great hardship, and prayed for the revision of those duties.

Mr. *Bright* inquired of the Chancellor of the Exchequer when he meant to bring in his bill to alter, consolidate, and amend the Stamp Acts.

The *Chancellor of the Exchequer* stated the course he intended to pursue with regard to the Stamp Duties. He should move for a committee of the whole House to-morrow on the subject, in order to obtain an opportunity of presenting the new schedule of duties. Although he meant to bring the matter forward on a Wednesday, in contravention of the usual practice, he hoped he should be excused, when it was considered that it would be desirable to have the schedule printed and circulated during the recess, and Wednesday was the only opportunity for taking steps to effect that object. He hoped, however, that the matter might not become the subject of discussion, particularly on a Wednesday, when the House would probably not be very fully attended, and at a time when the subject could not be properly treated, Members being but partially acquainted with the schedule. He should lay the schedule before the House to-morrow, and the consideration of it would come on appropriately after the holidays.

Mr. *Hume* suggested the propriety of having two columns in the schedule, one to contain the present duties, and the other to contain the alterations which it was proposed to make.

Mr. *Bright* said, that the schedule would not be sufficient—the Act itself ought to be produced. However, if it were impossible to do this before the holidays, he hoped it would not be delayed one day after the re-assembling of Parliament.

Hackney Coaches.] Mr. *C. Pallmer* presented a Petition from George Green, an owner of Hackney Coaches, against the Commissioners of Hackney Coaches, and complaining of a system of favouritism and monopoly.

Mr. *Warburton* observed, that considering there were a million of persons in the metropolis, it was monstrous and preposterous that public conveyances should continue in their present state. No coach, excepting Hackney Coaches, was allowed by law to carry passengers to any part of the town, unless it took its departure from a distance. He considered this a most monstrous regulation. It was impossible that such a state of things could continue, and that the public convenience should be thus needlessly sacrificed. He hoped that the Chancellor of the Exchequer would turn his early attention to the subject.

Mr. *Hume* said, that it was nearly three years since almost a promise had been given that the state of the Hackney Coach Office should be investigated. Nearly 10,000*l.* a year might be saved by throwing the business into the Stamp Department.

Mr. *Monck* remarked, that while all the short stages had so materially improved within the last few years, Hackney Coaches had deteriorated, arising from the imbecility and misconduct of the Board.

Sir *J. Wrottesley* gave notice that on the 13th May, he would move for a Select Committee, to inquire into the Duties, Salaries, and Emoluments of the Commissioners of Hackney Coaches; and into the present state of the public Carriages of the Metropolis.

Tobacco Duties.] Mr. Alderman *Thompson* rose to put a question to the Chancellor of the Exchequer respecting the intentions of his Majesty's Government on the subject of the Tobacco Duties. He wished to know from the right hon. Gentleman whether it was intended to make any alteration in the relative duties on stem, leaf, and the other kinds of Tobacco. He also begged to know if it were intended to make any change in the laws relative to the growth of Tobacco in Ireland. He was sure that the right hon. Gentleman was sensible of the importance of this subject, considering that at present 1,000*l.* worth of Tobacco paid 10,000*l.* duty.

Mr. *W. Smith* said, that the Chancellor of the Exchequer would, perhaps, be good enough at the same time to give the House information respecting another part of this question, in which his constituents were deeply interested. He alluded to the 1*s.* per pound duty, which he believed it would not be necessary for him to describe farther than by calling it the "Dropped Duty."

The *Chancellor of the Exchequer* said, that with respect to the subject alluded to by the hon. Member who spoke last, he believed that it would be included in a motion which was to be made by the hon. member for Southwark. He had, however, no hesitation in stating at once, that the constant answer which had been given by the Board of Trade to petitioners on this subject, since 1825, was, that the parties complaining had no right to compensation for this dropped shilling. If the hon. member for Southwark had been there to bring forward the motion of which he had given notice for that evening, he (the Chancellor of the Exchequer) should have been prepared to state to the House the reasons upon which he and his colleagues had come to this determination with respect to the dropped shilling. In answer to the questions put to him by the hon. member for London, he begged to state that he had no intention of altering the relative duties on stem and other Tobacco. He proposed, however, to move to-morrow that the House should resolve itself into a committee upon the laws with respect to Tobacco in Ireland, and then he should be prepared to go more fully into the question.

Portugal.] Lord *Palmerston* said, he rose for the purpose of putting some questions to his right hon. friend, the Chancellor of the Exchequer, with reference to a statement which had been made public during the last few days. The statement to which he alluded related to a certain document, called an amnesty, which it was said had been issued, or was about to be issued, by the government of Portugal. According to this statement, the amnesty was to be,—"first, an amnesty to all privates and officers below the rank of captain; secondly, it includes all civil officers who have taken no active share in the re-actions which have occurred in Portugal against the authority of Don Miguel—but these are not to be reinstated in their offices; thirdly, the amnesty states that the Treasury, in restoring the property of those emigrants who shall return to Portugal within six months, will not restore the rentals of which the government may have disposed." Now, upon this part of this delightful document, he had only to observe, that he believed there was no law in Portugal which warranted such a proceeding as withholding these rentals. But to proceed: "fourthly, the garrison of Terceira, and the inhabitants of that island, are to be included in the amnesty;—fifthly, the prisoners will be set at large, but some, designated by government, must leave the kingdom and reside abroad for a certain time;—sixthly, with regard to all other classes of emigrants, Don Miguel engaged to grant another amnesty eighteen months after the recognition of his authority by England, reserving to himself such exceptions as he may please; lastly, Counts Saldanha and Villa Flor, Generals Stubbs and Mello, the Marquis de Valentina, and some other noted characters, who fought against the Marquis of Chaves and General Povoas, are proscribed for life." He had said upon a former occasion, that every body knew what the meaning of an amnesty was in the language of Spain, of Turkey, and of Portugal; but he begged leave to retract that statement so far as related to the latter country, for certainly, now that he had seen this document, he must confess, that he was not before aware of the meaning of the word amnesty in the language of Portugal. He spoke, of course, upon the supposition that the document was genuine, though he did not mean to pronounce any opinion upon the genuineness of it. Supposing, then, that the document was genuine, he begged to ask his right hon. friend, first—whether the English Government had received any, and what communication of a project of an amnesty to be granted by Don Miguel. Secondly, whether such project of an amnesty, if it had been communicated to the English Government, had been communicated to them by Don Miguel direct, or through the intervention of any and what foreign court. Thirdly, whether such project of an amnesty had been the spontaneous act of the present government of Portugal, or whether it had resulted from the negotiations of the English Government in its endeavours to mitigate the severity of Don Miguel towards the Portuguese. Lastly, he wished to ask his right hon. friend, whether those negotiations, supposing such negotiations to have had this effect, had been carried on with Don Miguel directly, or by the intervention of any and what foreign Power? He would put these questions into the hands of his right hon. friend, and he should be obliged to his right hon. friend if he would give him an answer to them; or to such of them as he felt he could answer consistently with his public duty.

The *Chancellor of the Exchequer* said, that he could perhaps satisfy his noble friend without referring to the document, which, however, he thanked his noble friend for being obliging enough to put into his hands. His noble friend had referred to a document which had been copied from the foreign into the English Newspapers, and which purported to be an amnesty granted, or intended to be granted, by Don Miguel, to persons who had taken part in the recent political events in Portugal. He had seen that document in the papers, but he could assure the House and his noble friend, that his Majesty's Government had no knowledge of the existence of such a document, or of any intention of issuing such a document. His noble friend, therefore, had as much information as his Majesty's Government had on this subject; and it would be seen, therefore, that as the newspapers were the common and only source from which any thing respecting the document could be learned, he could tell no more about it than any other hon. Member could. This, he believed, would satisfy his noble friend, and there was no occasion for him to go through his noble friend's questions, which, after this explanation, of course fell to the ground.

EMPLOYMENT OF THE POOR.] Lord *Nugent*, after presenting a Petition from labourers of an hundred in Buckinghamshire, complaining of distress, and attributing a great portion of their misery to the injurious administration of the Poor-laws, proceeded to move for leave to bring in a Bill to enable parishes to make better provision for the employment of their Poor. This Bill related to a subject which, he was sorry to say, deeply affected a very large number of persons connected with agricultural pursuits. It deeply affected the rent-payers, the farmers, and, through them, the land-owners; but, which was in his view more important still, it operated also materially upon the means of life—upon the virtue or vice, the happiness or misery, of that most unfortunate class, the labouring class. The misfortunes of this class were generally admitted, and it was the duty of that House, therefore,—nay, it was called upon by justice, policy, and humanity—to relieve them. It had been said, that the operation of the Poor-laws, and more particularly the operation of certain parochial customs which were against law, had deteriorated the character of the labouring population, and degraded them to a state from which they had neither the hope nor the desire of emerging. If this were true, and he was afraid there was too much of reality in it, it was only saying that the vices of the system had become so oppressive and so dangerous, that it was our duty to eradicate them effectually. The object against which his Bill was particularly directed was the roundsmen system, —or the custom of paying labourers out of the parish rates. In other words, the system which he wished to have altered was the substitution of parochial relief for the fair and adequate wages of labour. This system, though it had been declared to be illegal, had taken such deep root, and assumed so many forms in some places, that it was extremely difficult to deal with it. It took so many shapes to avoid detection, that like the monster in the fable, it would require the power of another Antæus to overcome it—

> "Ubi nulla fugam reperit fallacia, victus
> In sese redit."

If he could point out any plan by which this evil could be remedied, he had no doubt the House would pay attention to his Bill. He wished, therefore, to make it the interest of parishes to adopt those means by which he thought the system would be got rid of. And first, as to the evil, and the operation of it on the labouring classes. A committee of that House reported, in 1824, that in a certain parish in Sussex, the wages of labour had been reduced by this system to 6*d*. a day. Since that period, now six years ago, the evil had not diminished. In the district in which he lived, there were many parishes, and to the shame of those parishes he spoke it, in which, by the wicked and illegal system of paying labourers out of the Poor-rates, the weekly rate of wages for an able-bodied unmarried labourer, had been reduced to 3*s*., or 3*s*. 6*d*. It was impossible that they could live on this; and yet, if they refused it, they could get nothing, for the parish would not relieve them, and the farmer would not employ them. When he stated this, he had not, he was sorry to say, stated the worst. In the course of the late dreadful winter, this sum of 3*s*., or 3*s*. 6*d*. per week was for no less than three weeks in abeyance. In saying this it might be told him, that he was destroying his own case, by proving too much; for the miserable people, having no credit, must have ceased to exist, from absolute want. His answer however, was, that the fact was as he had stated it to be, and that he was ready to prove it by evidence. This was sufficient for him, for he could hardly be called upon to prove how these unfortunate beings contrived to live, or how they starved, or to what extent they stole, or to what extent they were indebted to private charity for the means of subsistence. In justice to these men, however, he must say that he did not believe they did steal; and he stated it as a circumstance highly to the credit of a peasantry labouring under such fearful privations, that at the last Assizes held in the county the calendar was lighter than he had known it to be for some time past. None but a person who had attended Petty Sessions could form an idea of the extent of the misery produced by this system. Men, young and old, women past the age for labour, and women with children in their arms, came before the magistrates for relief. The men professed their readiness to work, and the overseer said, "It is quite true these men are willing to labour, but we have no employment for them: and as to relieving them, we cannot collect the poor-rates." What could the magistrates do? They could direct the overseer to distrain; but such a course would, in many cases, only add fresh paupers to the list. While he was thus detailing the miserable condition of the labouring classes, he was not unmindful of the state in which the farmers were, or of the invidious duties which an overseer had to perform. He recollected both; but of this he was quite sure,—namely, that if the evil went on increasing, and the severities of another winter came upon this wretched peasantry, nothing but an armed force could keep them down and make them starve in quiet. Something, then, it was evident must be done, and that speedily. He proposed, in the first place, to give the magistrates power to grapple with the roundsmen system, in parishes which may be convinced that the system was injurious. The provisions of his Bill were not obligatory, except in allowing two-thirds of the parish to bind the remainder. He was aware that it was not prudent in the mover of a bill to enter into the details of it when he asked for leave to bring it in, and he would not enter into the details of this. He would state only generally, that what he proposed would be in the nature of a labour-rate; but not open to the objection, which none could feel more strongly than he did—namely, that it would subside into the very thing which it was his object to guard against. His Bill would proceed on three principles—first, it would encourage the occupiers of lands to employ as much labour as possible on the lands in their occupation. There would, of course, be no compulsion here, for nothing could be so absurd as to oblige a man to employ more labour than he pleased; but it would merely encourage and hold out an inducement to the employment of labour. The second principle was, that it was desirable to lower the Poor-rates; and if money must be paid for the support of the labourer, that labour should be given in exchange for that money. The third principle was, to give to labour a fair and open market by competition, in order to secure as liberal a compensation as possible to the labourer; and in this view he would make the bargain to be carried on between the labourer and the hirer without the farmer being brought face to face with the overseer. His great object was, to get rid of the roundsmen system, and therefore it would not be necessary to apply it to those parishes where that system was not practised. Though the Bill differed in many respects from that which was called the property-plan used in some parts of Oxfordshire, yet in others it was founded upon part of that plan. The noble Lord concluded by moving for leave to bring in a Bill to promote the employment of the Poor, by free hiring and fair remuneration for their labour.

Mr. *Lennard* said, he would not oppose the bringing in the Bill, but would beg to suggest to his noble friend that certain parties should be exempted from its operation; for instance, farmers who cultivated their farms by their own labour and that of their sons, and that persons so employing labourers should not be thereby qualified to vote at vestries. With such exemptions, he thought the Bill would be likely to do much good.

Lord *Nugent* was aware of the difficulties in the way of parts of the plan, but he would endeavour to meet them as well as he could.

Mr. *R. Colborne* thought this one of those general measures which were sometimes adopted to remedy local evils; the evil which it went to cure was not the fault of the law, but of the mode in which it was administered, and showed the bad effects of interfering in any manner, by legislative measures, with the wages of labour.

Lord *J. Russell* feared, that on the second reading of the Bill, he should be obliged to object to it altogether.

Leave was then given to bring in the Bill.

Supply.—Assessed Taxes.] The Chancellor of the Exchequer moved the further consideration of the Resolution of Supply, which had been postponed from the 2nd inst.

Mr. *Bright* took that opportunity of asking the right hon. Gentleman whether it was his intention to propose the consolidation of the Assessed Taxes Acts, and when he should be ready to bring it forward.

The *Chancellor of the Exchequer* said, he was so much occupied in the consolidation of the Stamp Acts that he had not had time to pay attention to the other subject, and could not at that moment say when he should be ready with it.

Mr. *Bright* asked whether the right hon. Gentleman intended to bring on the subject in the present session.

The *Chancellor of the Exchequer* replied, that he was prepared to do so, but at present he could not fix the time.

Mr. *C. Calvert* asked, whether the right hon. Gentleman intended to renew the Assessed Taxes Composition Act. If he did, it was time that those concerned should be informed on the subject, that they might know what to do, as the Act would expire in October.

The *Chancellor of the Exchequer* said, that the House and the Country would obtain a full explanation of what was intended on the subject in a few days.

The Resolutions were then read, and several of them agreed to.

On the question that a sum, not exceeding 85,025*l.* be granted for the expenses of Salaries, &c., to the Civil Establishments of the Ordnance in the Tower and Pall-mall,

Mr. *Hume* observed, that as the House had decided against the recommendation of the Finance Committee, and had negatived the reduction of the office of Lieutenant-general of the Ordnance, it was hopeless now to have any reduction in this department. But there was an understanding that if the Lieutenant-general were continued, the salary of the Master-general, which was now almost a sinecure, should be reduced from 3,000*l.* a-year, its present amount, to 1,500*l.*, which was the salary attached to it in 1801. Unless some reductions were made in those estimates, what credit could be given to Ministers for a desire to reduce the burthens of the country? The services included in the present vote of 85,025*l.*, cost the country, in 1796, only 17,000*l.* It was, however, now a hopeless matter to expect much reduction by Ministers, and all he prayed for was, that there might be a falling-off in the revenue next year to the amount of 3,000,000*l.*, for only something of that kind would force Ministers to reduce the expenditure.

Colonel *Sibthorp* hoped the falling-off in the revenue would be double the sum mentioned by the hon. member for Montrose, for that alone would oblige Government to reduction. He had had several anonymous communications lately, pointing out various instances of extravagant application of the public money; and though he would not use them, for he was unwilling to encourage any such communications, thinking they came from those who, if what they stated were true, ought not to be afraid or ashamed to avow themselves, yet he believed much of the information conveyed by them to be correct. He hoped, therefore, the hon. member for Montrose would continue his very useful exertions to promote economy, and he should be happy to give him his best support on every such occasion. The country already owed him great thanks for what he had done, and he felt bound thus publicly to return him his thanks for the course he had pursued, which he hoped he would continue.

Mr. *Trant* could not approve of that kind of economy recommended by the hon. member for Montrose, of going back to the system of 1792, which he so often recommended. Let it be recollected, that we formerly carried on war by our money, and employing foreign troops to fight for us, and the consequence was, that war was much more expensive, and less efficiently conducted: but when we began to take the matter into our own hands, we went on much better. The Ordnance Department was now in a much more efficient state, and though he saw a formidable, and perhaps, not a very constitutional, array of seven or eight officers opposite connected with it; yet he would rather see the department in its present effective state, than go back to the former practice of carrying on the war rather by the employment of others than by our own forces.

The Motion was then agreed to,—as were the other Resolutions.

Sir *A. Grant* brought up the Report of the last Committee of Supply.

The Resolutions for the grant of 8,933*l.* for the Storekeepers' Establishments at Woolwich and 17,432*l.* for other stations in England, were agreed to.

On the Resolution for granting the sum of 28,645*l.* for Storekeepers' Establishments abroad and in Ireland,

Mr. *Hume*, adverting to what fell from the hon. member for Dover, said, he did not expect his support in any useful object,—and he should never seek it. He would take this opportunity of asking whether the Government were still going on manufacturing and selling powder. He thought the practice of manufacturing our own gunpowder, was a very extravagant mode of supplying the public service with that article, which might be much more cheaply supplied by others.

Mr. *Perceval* said, that Government was at present manufacturing only a small quantity of powder, and was not selling any.

Mr. *Hume* must repeat, that we were paying three times more for the article by Government taking the manufacture on itself, than it might be obtained for from private manufacturers. We had now a supply for twenty-five years on hand, and that was quite sufficient.

Sir *J. Wrottesley* concurred with the hon. Member, that the system of manufacturing by Government was any thing but one of economy. He had heard that some arms, which were made for the East India Company at our manufactory at Enfield, might have been obtained much cheaper at Birmingham; and that, accordingly, the Company refused the contract.

Mr. *Perceval* said, that Government offered to make some arms for the Company, but the contract was refused, though without reference to the price or the pattern.—The Resolution agreed to.

HOUSE OF LORDS.

Wednesday, April 7.

Minutes.] Petitions for opening the East-India and China Trade were presented from North Shields, by the Duke of Somerset; and from Carlisle, by the Earl of Westmorland. The Earl of Verulam presented a Petition from Hertfordshire, for a Repeal of the Malt and Beer Taxes.

On the Motion of the same noble Lord, at the request, he said, of his noble friend, the Marquis of Salisbury, a message was sent to the House of Commons, requesting the attendance of Messrs. Dundas and Compton, Members of that House, to give evidence before their Lordships relative to the East Retford Disfranchisement Bill; and all Papers, Documents, &c. elucidatory of that Bill were ordered to be printed.

Sir A. Grant, Sir G. Clerk, Mr. Calcraft, and other Members, brought up the Grand Jury Extension Bill (Ireland), the Smugglers' Families' Maintenance Bill; the Ellenborough Divorce Bill, and several private Bills, to which the House of Commons had agreed.

Chancery Commission.] The Earl of *Eldon* said, he had a document which he was anxious to lay before their Lordships relative to Bankruptcy Commissions, but he was obliged to defer doing so till a day or two after the holidays. He would take advantage, however, of that occasion to repeat what he had before stated and what had also been stated by the Lord Chancellor, that the Chancery Commissioners had discharged their duties as commissioners gratuitously, and many of them, too, at a personal sacrifice of professional emolument. He was the more anxious to repeat this fact, as it had been confidently asserted, in a recent pamphlet, that the Chancery Commission was a most costly one, though its members, as he again repeated, had received no pecuniary reward for their labours whatever.

HOUSE OF COMMONS,

Wednesday, April 7.

Minutes.] The Haymarket Removal Bill was Read a third time and passed.

Returns Ordered. On the Motion of Mr. Hume, of the number of Debtors who had taken the Rules of the King's Bench and Fleet Prisons, for the last five years, specifying their respective amounts of debt (classified in hundreds,) the Fees they paid, and how these Fees were sanctioned by law, and applied.

[He stated his object to be, to show how far these Rules operated in prevention of the settlement of honest debts, before the Insolvent Debtors' Act next came under the consideration of the House.]

On the Motion of Mr. Wodehouse, of the total amount of Money levied for Poor-rates and County-rates, in every Parish or Township of England and Wales, during the year ending March 25, 1830. On the Motion of Mr. Keith Douglas, of the quantity of Rum consumed in England, Scotland, and Ireland, during the last five years preceding the reduction of the Duty on British Spirits, to 2s. 6d. per gallon. On the Motion of Mr. Attwood, of the whole expense incurred for the Post-Office Packets between Calais and Dover, including the Port-dues charged for the two years ending January 5, 1829, and January 5, 1830: a similar account of the Post-Office Packets between Margate and Ostend, with the amount of Fares charged by both Packets for Passengers, Horses and Carriages.

Petitions Presented. Against a Renewal of the East-India Company's Charter, by Mr. Ramsden, from the inhabitants of the Clothing District of Shipley. For the Abolition of the Duty on Coals, by Mr. Irving, from Larn. For mitigating the severity of the Criminal Code, by Mr. Western, from the inhabitants of Kelvedon, (Essex):—by Mr. Ashurst, from Chipping Norton. For the repeal of the Malt and Beer Duties, by Mr. John Fane, from Burford. Against the proposed alteration in the Beer Trade, by Colonel Sibthorp, from the Publicans of Lincoln. Complaining of Distress, and praying for Relief, by Mr. Easthope, from the county of Hertford.

Excessive Taxation.] Mr. *Hume* presented a Petition, agreed to by a large number of the working Stonemasons of the Metropolis, assembled at the theatre of the London Mechanics' Institution, complaining that their situation was deteriorated, which they attributed to excessive Taxation, and praying the House for the further reduction of Taxation, and the abolition of all Sinecures. The petitioners also prayed the House would take into its consideration the large sums paid to the Bishops, and other members of the Established Church, while the industrious man was reduced to a state of starvation. The petitioners complained that the lordly followers of the meek religion of Christ starved them out of existence. This, the hon. Member said, was a fair subject for petitioning; he cordially agreed with the prayer of the Petition, and hoped, when there was a reformed Parliament—for which the petitioners also prayed—that the large salaries of the Bishops would be reduced, and every man paid according to his labour.

Misrepresentation.] Mr. *Hume*, on

concluding the presentation of the Petition, spoke as follows, in allusion to last night's debate:—"Sir, it is not often that I trouble the House with any matter which is merely personal to myself, and I am of opinion that the greatest benefit results to the community from the utmost freedom of debate in this House. I am likewise a man who does not care much for the expression of opinion upon general questions, thinking it just as well to leave that to be reflected upon; and always confiding in my own intentions. I wish also to state, that no person can be more favourable than I am to the full publicity of the reports of our proceedings; the utility of this House, in fact, mainly depends upon the diligent, constant, proper and faithful reports of these proceedings; and upon this point I would just say, that I hope my hon. friend near me, (Colonel Sibthorp,) will bring forward the motion of which he has given notice, and in which he shall have my best support, to obtain leave to suspend the Standing Order, and to have the reporters regularly introduced and sanctioned, as well as placed in a more favourable situation for the performance of their duty; where there will be less liability to mistakes, and better means used for avoiding errors, than we can well expect under the present arrangements. What I rose for, Sir, is to call your attention to a misrepresentation of what took place here last night. I hold in my hand a newspaper, [the hon. Member did not name it,] which is, I believe, as correct a paper as any in conveying to the public what passes in this House, but which attributes last night an expression to the hon. and gallant officer opposite that certainly was never heard by me. I had, I thought, paid the fullest attention to what was passing here at the time, and I do not believe any such expression was used, for it would have been that extreme violation of the decorum of the House, which you, Sir, would not have permitted from the Chair, and which I certainly could not have allowed to pass without observation. The expression attributed in this paper to the hon. and gallant officer is as follows: 'The lie, therefore, that he (Lord Ellenborough) had connived at his own disgrace, was so monstrous, that he (Sir H. Hardinge) threw it back with scorn on its contemptible author.' I was the only person who had previously spoken in the debate, and therefore such a phrase, if used, could only have applied to me. I can only say I never heard it, and it was only this morning, when a gentleman brought me the paper, and pointed out the passage, that I saw it. I said to him then, as I now repeat, that no such expression was used; yet, as it conveys a personal reflection, and involves in some degree the character of the House, by exhibiting a violation of the courtesy which one hon. Member is bound to pay another in debate, I have no other course open than to take this notice of it. I do not mean to say that the error in the paper is intentional, but as no other person had spoken at the time than myself, no other could have been addressed in such language, had it been used. I hope, therefore, the hon. and gallant Member will say how far this statement is consistent, or not, with his recollection of what fell from him in his speech."

Sir *Henry Hardinge.*—"If, immediately after I spoke at the moment, the hon. Member had no recollection of my using such a phrase, although he says he was attentively listening to me, he will easily believe it is very probable I could not have used it. No such expression was, in point of fact, used by me, as directed against him. Certainly, I never could have so far departed from the courtesy which one Gentleman is bound to observe towards another in this House, as to charge him with uttering a notorious and unnatural lie. What I said was, as well as I recollect, that the accusation against Lord Ellenborough, of having connived at his own disgrace was a foul calumny, and I threw back the unnatural lie upon the authors of it. I used the plural number, intending the imputation for the authors of those calumnies out of doors, of which Lord Ellenborough had to complain. What I did say last night I find reported with singular, indeed wonderful, accuracy in *The Times* newspaper of this morning; and there I find the word 'authors,' which of course could not mean the hon. member for Montrose. But at the same time I do intend to accuse him of perverting the bearing of the evidence in his remarks upon it. There is one error in the concluding paragraph of my speech, in which I am stated to have said, when speaking of Lord Ellenborough, 'that if it could be shown he had done any thing wrong, he would be the first man to come forward and atone for it.' I said nothing of this kind as applicable to Lord Ellenborough, but with reference to myself. I knew Lord Ellenborough could not come here to give explanations, although I could. As the hon. member for Montrose always bears every thing which passes here with good humour, he will, I hope, as constantly find me doing the same, and I should be sorry if he retained an impression that I could have used towards him any expression so gross as that which he has mentioned here."

Reports of the Proceedings in Parliament.] Colonel *Sibthorp*, in presenting a Petition, took the opportunity of stating, that he meant soon after Easter to bring forward the motion of which he had given notice, for the better accommodation of those who report the proceedings of the House. If his motion were agreed to, the result of giving better accommodation to reporters, he was persuaded would be, that more full and more accurate accounts of what was said in that House would be published, and Members would not be annoyed, as they now frequently were, by misrepresentations, which, however unintentional, were injurious to the Members in relation to their constituents. He trusted the House would facilitate so desirable an object, and that his motion would not meet with one dissentient voice.

Stamp Duties (Ireland).] Sir John Newport presented a Petition from the Chamber of Commerce of Waterford, against the proposed plan for assimilating the Stamp Duties of England and Ireland. There were two ways, the hon. Baronet said, of assimilating duties; lowering the high ones and raising the low ones; but unfortunately, the Chancellor of the Exchequer, as far as his experience went, always took the latter method, and augmented the burthens of the people. By his proposed plan, an addition of taxation, to the amount of 100,000*l.*, would be levied on Ireland, which at present would be a serious injury to that country. In particular he wished to know if it were intended to continue the Stamps on Law-papers, which operated as a denial of justice to the poor? He thought these ought to be abolished, and other Stamp Duties lowered. The Government had professed an anxious desire to give tranquillity to Ireland, to encourage its trade; but to impose new taxes on it, did not seem to him to be the best way of satisfying the people and extending commerce. He trusted the Chancellor of the Exchequer would pause before he threw additional burthens on a community struggling to bear its present load. He hoped, before the bill was brought in, a schedule would be produced, stating the present duties, and the proposed augmentation. He had always observed, that in imposing new taxes, the real and ultimate effect was always kept out of view. He hoped, however, that the House would not give the Chancellor of the Exchequer's proposition the authority of law till the fullest information was laid before the House, and it was accurately ascertained what would be the exact amount and effects of the new Stamp Duties to be levied in Ireland, in order to make the duties there correspond to the duties in England.

Petition laid on the Table and printed.

Distillery of Corn Spirits.] Mr. *Home Drummond* rose to present a Petition from a very important interest in the community—he meant the Distillers from Corn Spirits, who complained, and he thought justly, of the imposition of the additional duty of 1*s.* a gallon upon Corn Spirits, while there was no corresponding additional duty imposed upon Rum. He would entreat the House to bear in mind, that in the year 1825, after due and deliberate investigation on the part of the Government, an arrangement, having all the appearance of permanency, was made between the parties, and which was admitted by Lord Goderich, under whose auspices it was made, fair and equitable. By that arrangement it was fixed that a duty of 8*s.* 6*d.* the imperial gallon should be laid on Rum, and 7*s.* on Corn Spirits. The latter, by the additional duty now proposed, was to be 8*s.* while, he repeated, there was to be no corresponding increase of the duty upon Rum. The petitioners were desirous of knowing what change of circumstances had taken place in the relative situation of the parties, to justify this infringement upon the arrangement of 1825; for, so far from seeing any to justify it, they were of opinion that the changes in the relative situation of the parties, and in the prices of their commodities, which had occurred since, ought rather to have produced a directly opposite result. The petitioners, indeed, contended that the alteration which had taken place in the circumstances of the markets called for an alteration of the duty in a different sense. It should have led to a more generous policy towards the Distillers of Corn Spirits, instead of the unequal and unjust depreciation of their property which must follow the adoption of the Chancellor of the Exchequer's resolutions. From important documents laid on the Table of the House, it appeared, that the consumption of Rum had rapidly increased since 1825. The average price of Barley before 1825 was 29*s*., and now it was 34*s*. This change ought to have made the Chancellor of the Exchequer levy an additional duty on Rum. The petitioners said, that if the increase of duty were persisted in, home-made Spirits would be driven out of the market. It could be manufactured into Gin cheaper than home-made Corn Spirits. He was unwilling to detain the House with long detailed calculations, but as the whole question was one of detail, he hoped they would allow him to state the case, by a mere specification of the accounts as they stood.

The consumption of Rum and British Spirits in England stood thus:—

Rum.	*Gallons.*
For the year ending 5th of Jan. 1830 ..	3,302,143
Ditto 5th of Jan. 1829 ..	3,064,856
Increased consumption in the year ending the 5th of Jan. 1830	237,287

[*See Parl. Paper, No.* 211, *March* 29, 1830.]

British Spirits.	
For the year ending 5th of Jan. 1829 ..	7,759,694
Ditto 5th of Jan. 1830 ..	7,700,760
Decrease on British Spirits, for the year ending 5th of Jan. 1830	59,934

Barley.

[*See Parl. Paper, No.* 211, *March* 29, 1830.]

	s.	*d.*
Average price of Barley, per quarter, for five years, from 1820 to 1824	29	0
Ditto, from 1825 to 1829	34	9
Average increase on the price of Barley, during the last 5 years	5	9

[*See Parl. Paper, No.* 154, *March* 13, 1830.]

The fact was, that it was impossible to look at the comparative operation of the duties on Rum and Corn Spirits, without being sensible that the new regulations would be so injurious to the manufacturers of Spirits from Corn, as to drive them from the market. It was evident that already the competition was entirely in favour of the West Indies, and the additional duty on home-made Spirits would be a still further advantage to the manufacturers of Rum.

It appeared also, from official documents, that in the year ending the 5th of January, 1830,

		Gallons Proof.
The quantity of Corn Spirit distilled in England for home consumption is		3,860,542
Ditto, in Scotland, and exported to England	3,008,686	
Ditto, in Ireland, and exported to England	671,497	3,680,183
Total of Corn Spirit		7,540,725
The quantity of Rum for home consumption in England in said period is	3,302,143	
Ditto, for the Navy	400,000	3,702,143
General Total		11,242,868

Thus, if the consumption of these articles in England, for said year, be divided into 100 equal parts,

	Parts.
The quantity supplied by England is	34·33
Ditto, by the Scotch and Irish distillers ..	32·73
Ditto, by the West India planters	32·94
	100·00

	Gallons.
This is without reckoning Brandy, Geneva, and all other foreign Spirits, which amounted, for home consumption in the same period, to	1,293,523

	s.	*d.*
The duty on Rum, at present, is	8	6
Ditto, on Raw Corn Spirit in England ..	7	0
Protecting duty in favour of Corn Spirit .	1	6

If this protection shall be reduced, as now proposed, to 6d., Rum will in all probability, supply the whole consumption of the market.

	s.	*d.*
The present duty on English Raw Corn Spirit is	7	0
The proposed additional duty on ditto is ..	1	0
	8	0
This Spirit cannot be afforded for less than ..	3	0
	11	0
The expense of rectifying, compounding, and sweetening the gallon at proof, without profit to the rectifier, is	0	8
	11	8

	s.	*d.*
The present market price of Rum is	1	9
The present duty on Rum is	8	6
Total cost of Rum in its finished state	10	3

The disadvantage to English Spirit, is, consequently, obvious.

	s.	*d.*
Malt Whisky distilled in England, or brought thither from Scotland or Ireland, pays duty of	7	0
Besides the whole of the duty on Malt ..	1	2
If to this be added the proposed new duty of	1	0
The duty per gallon on Malt Whisky in England is	9	2

While the duty on Rum is only 8*s.* 6*d.*

It appeared, therefore, that the imposition of this additional duty of 1*s.* per gallon upon Corn Spirits would change the whole nature of the trade, and inflict a serious injury on the home-manufacturer. If the home-distiller were not harassed by vexatious regulations and unequal imposts, he would be quite ready to compete with the maker of Rum; but as it was, that was impossible, and he hoped the right hon. Gentleman would state why he made this alteration, which would not succeed, he believed, as a matter of revenue, while it would inflict great evil upon distillers of Corn Spirits. He begged to assure the Chancellor of the Exchequer, that he had great confidence in his firmness and in his sense of justice, and he trusted, therefore, that no influence would make him commit what appeared to be an injury to a very opulent and useful class of men.

Mr. *Brownlow* would take this opportunity of stating, that he had a similar Petition to present from the Distillers of Corn Spirits in Ireland; it was signed by six or seven of the principal distillers, and conveyed the sentiments of the whole body. He thought it right on this occasion to state, that the Irish distillers had peculiar grievances to complain of, independent of those which they had in common with the English and Scotch. There was great injustice and hardship in the way in which these additional duties were proposed to be levied. The Irish distiller had to pay an additional duty of 2*d.* per gallon on his own consumption, and 1*s.* per gallon on his export. In 1825, when the last arrangement was made, which they had hoped was not so soon to fluctuate, the new duties were levied after the passing of the Act; in the present case they were to be retrospective, and to apply to every gallon of Spirits in the market after the 15th of March, and the stocks of the Irish distillers were liable to the addition for days before they knew of the impost. In this respect he did conceive the Irish distiller had much to complain of, for he had many contracts at fixed prices, which were now only in progress of delivery: he would have to deliver to the merchant at the stipulated prices, and to bear this loss of the retrospective duty, which was certainly unfair and unjust. The Irish distillers stated, that in the year 1825, this subject was most fully investigated, and a protecting duty of 1*s.* 6*d.* was then allotted for their Spirits. Upon the faith of this arrangement large capitals had been embarked, and extensive engagements concluded. All these were now injured and perplexed by the proposed additional duty. Instead of being permitted fairly to enter the market, they were exposed to vast disadvantages from the special protection which it seemed Rum was now to receive. This was about also to be bestowed, when the circumstances of the markets required the Government, if it interfered at all, to increase the duty on Rum, and lower that on Spirits made from Corn. The Irish distiller gave employment to many people, and laying an additional duty on his commodity would add to the sufferings of the Irish peasantry. The new duty too would be injurious to the agricultural interests at large, for it would give those Spirits which were the produce of sugar so great an advantage in the home-market as compared with the disadvantages under which Spirits, the produce of this country, laboured, as to render them unsaleable, except at a price which was ruinous to the manufacturer. The consumption of Rum, for the last year, amounted to 3,302,000 gallons, while in the preceding year it amounted to only 3,065,000 gallons. Thus an increase of 237,000 gallons had taken place in the consumption of Rum, during one year, while the consumption of British spirits had decreased 59,924 gallons. The British distiller laboured under another disadvantage,—the advance in the price of Barley, for the last five years, of 5*s.* 9*d.* per quarter. If corn were admitted freely into this country, and if the British distiller was free from all those impediments which the distilling laws opposed to him, then he would be quite ready to compete with the West Indian, or any other distillers. He wished the Chancellor of the Exchequer would make such a statement as was calculated to dispel the serious alarms which agitated the minds of the British distillers.

Mr. *Western* supported the complaint of the petitioners, and declared, that although he should be sorry to do anything which would prejudice the interests of the West-India proprietors, he was satisfied that they possessed an undue advantage over the British distiller. The subject was one in which he felt great interest, because the agriculturists were well aware that the distillers were among their most useful customers. The great county he represented was therefore much interested in this question, and he did hope that the

Chancellor of the Exchequer would adopt some method of relieving the West-India interest which would not injure the distillers and agriculturists of Great Britain. He could not help feeling surprised that an additional duty should be levied on British made Spirits, without any corresponding protecting duty against the importation of Rum: and he trusted that his Majesty's Government would adopt some means of meeting the views of the petitioners.

Mr. *Marryat*, supported the claims of the West-India Planters to the consideration of the House, and contended that they had as good a right to participate in the benefits of the home consumption as the agriculturists or the distillers, and that they paid a very high price for that participation by the restrictions imposed on them.

The *Chancellor of the Exchequer* did not rise to enter upon the discussion of the question brought before the House. He had had frequent opportunities of meeting both the parties interested on the subject, had heard the question discussed on both sides, and had made such inquiries as he thought proper as to the statements he had received, but he thought it better to defer going into any discussion on the question until he brought his bill on this matter regularly before the House, when an opportunity would occur of going into the whole of the calculations. He only begged hon. Gentlemen on both sides of the House to believe that he should propose that bill with no view of favouring either one or other interested party. He had endeavoured by his proposed measure to give them both that fair competition in the market which both had a right to expect. He was not insensible to the importance of the great interests concerned in the subject, but while he remembered what was due to the petitioners, he could not forget the claims of our West-India Colonies, and in his opinion, the home-market ought to be equally accessible to both. The calculations submitted to the House did not seem to him quite correct. The parties interested had, as was very natural, dealt somewhat in exaggeration, and he had no doubt, when the matter came properly under discussion, that he should satisfy all parties of the justice of the views entertained by his Majesty's Government, though, as each party sought a peculiar advantage, he was afraid neither would be contented by those views.

Mr. *S. Rice* did not intend to prolong the present conversation, but rose to bear testimony to the respectability of the signatures attached to the Petition. Whenever the question was discussed, he should consider the interests of Ireland and the Colonies closely connected. He acquiesced entirely in the principles laid down by the Chancellor of the Exchequer, and he thought it was the duty of the House to discuss the question fairly, and with a view of doing justice to all parties. He wished to obtain no advantage for Ireland. at the expense of the Colonies, but he must at the same time say, that he was not ready to concede to the Colonies new advantages without a full conviction of their being both just and necessary.

Mr. *Bright* considered the Scotch and Irish distillers as having already an unfair advantage over the English distillers, because the duty was much higher in England than in Scotland or Ireland: these, therefore, had no right whatever to complain. Why the distillers of Scotland and Ireland were allowed to have this advantage over the distillers of England he did not understand. As to the increased consumption of Rum, that was very small in England; while the consumption in Ireland and Scotland had, he believed, fallen off. He was disposed to complain of the Scotch and Irish distillers, who seemed to want the monopoly of the English market: whatever their motive might be, he was confident that their advantages were too great for them ever to be injured by the consumption of Rum in the British market.

Mr. *Bernal*, although one of those interested in the prosperity of the West-Indies, had never wished to support their trade at the expense of either the English, Scotch, or Irish agriculturists and distillers. It was, however, a well known fact, that the distillers had been at all times anxious for a monopoly, which must be at variance with the interests of the community, and although the duty on the Spirits of the Colonies was 8*s*. a gallon, and that on the Spirits of the Mother Country only 2*s*. 10*d*., they were anxious to procure still further protection. For his part, he considered the people of Barbadoes, Jamaica, Antigua, and the other West-India Islands to be as much British subjects as the inhabitants of Scotland or Ireland, and to be as much entitled to protection in the home-market for the consumption of their productions. He recollected well that Lord Goderich, when Mr. Robinson, declared, five years ago, that the principle of fair competition between the Mother Country and the Colonies was a sound one, and on the 5th of February, 1825, when he, as Chancellor of the Exchequer, proposed the additional duty of 1*s.* 6*d.* on Rum, he re-affirmed the same principle, and declared that if it appeared, after the experiment had been tried, as some persons apprehended, that this duty would become prohibitory, the Government would be willing to remove it, and make an alteration which would leave the market open to competition. That duty had, as was anticipated, proved injurious, and he contended that even the alteration now proposed would by no means counteract the effect of the 1*s.* 6*d.* then laid improperly on Rum; in fact that duty had acted as a prohibition; and that circumstance alone made out a case to justify the Chancellor of the Exchequer coming down to the House and proposing an additional duty on British Spirits. He wished, however, that the right hon. Gentleman would say something more to set this matter at rest, for as long as the two opposing interests thought the Government was not fully resolved, so long would both parties be unable to carry on their operations with their accustomed energies, and those operations were as necessary to others as to themselves.

Sir *G. Clerk* contended, that the increase of the consumption of Rum proved sufficiently that the duty was not sufficient to allow a fair competition. The British distillers did not seek, therefore, as the hon. member for Rochester supposed, an unfair advantage, but to secure to themselves an adequate protection. He was sorry that while the consumption of Rum had increased, and that of British Spirits decreased, it should have been thought advisable to lay an additional duty on the Spirits manufactured in the three countries. That increase of duty would have the effect of encouraging the crime of smuggling and demoralizing the people. The hon. member for Rochester, was wrong also in supposing that the distillers had no claims on the Government, because the duties were low in Ireland and Scotland; they had there been made low in order to put an end to smuggling, and that the reduction of the duty had accomplished, — but the distillers both of Scotland and Ireland manufactured for the English market and there it was, not in Ireland and Scotland, that they came into competition with Rum. This was the circumstance that made them object to the advantage, which the proposed new duties would give to Rum in the English markets.

Mr. *Wodehouse* concurred with the hon. Baronet who had just spoken, and he hoped that the Chancellor of the Exchequer would not lose sight of the agricultural interests. He should have been glad to have seen encouragement given to the West-Indian proprietors, by taking off the duty on sugar, rather than by increasing the duty on British Spirits.

Mr. *G. Moore* trusted, that as far as Ireland was concerned, no short-sighted policy would induce the Government to abandon that which afforded the only means of protection to the Irish agriculturist for the consumption of his corn. He contended, that experience since 1825, shewed that the Irish distiller needed still further protection than was afforded him by the arrangement made at that period. When the consumption of Rum had increased, it was surely too much to require that two-thirds of the present protecting duty in favour of British Spirits should be done away.

Mr. *William Smith* said, so many important interests were involved in this matter, that it deserved to be seriously considered. He conceived that the arrangement made by Lord Goderich, four or five years ago, was to be a permanent one. That arrangement was come to, after an inquiry as full and as extensive as could be had now, and the *onus probandi* lay with the right hon. Gentleman, to show why one-third of the protecting duty then imposed upon Rum should be now taken off. It was stated, that there was no reason for altering the duties; he saw, indeed, a very good reason for altering them in another direction than that proposed. For example, the increase in the consumption of Rum in the last year amounted to 237,287 gallons, while at the same time, the price of corn, the material from which British Spirit was made, was now, upon an average, 5*s.* 9*d.* higher than when the difference was struck in 1825. The average price of barley per quarter, from 1820 to 1824, was 29*s.*, and its average price from 1825 to 1829 was 34*s.* 9*d.* per quarter, and it was during this high price of the raw material that the consumption of Rum had increased. He denied that the English distiller had been favoured since the first part of Mr. Pitt's administration, when Mr. Pitt raised the duties on Colonial Spirits to keep down the consumption. It ought to be recollected that, in consequence of the legislative regulations in 1825, the English distillers had been put to the expense of 259,000*l.* for alterations in their premises; That money was taken out of their pockets without any corresponding benefit being bestowed on them. What would the West-India planters have said if they had been compelled to lay out a sum of that amount? In fact, it had operated as a fine on the English distillers. When the proper time came for discussing the subject, he should be able to shew that the English distillers had as good a case as ever came under the consideration of the House.

Mr. *C. Pallmer* said, that as, notwithstanding discussion was generally deprecated at the present moment, every Member who had risen had said something upon the subject, he must be allowed to trouble the House with a few words. Did those hon. Members who talked of the advantage which the proposed measure would give to the West-India interest recollect the sacrifices which that interest had made? Would the Scotch and Irish distillers be disposed to sell at a loss, as the West-India planters had done? It had been said that the consumption of Rum increased last year; but that was to be accounted for by the fact, that the West-India interest had been selling at a considerable loss. That could be satisfactorily proved to the House. The arrangement of Lord Goderich on the subject was an experimental arrangement, the object of which was, to produce and preserve an equal competition. Had it succeeded? No. Let means be adopted then for securing a fair competition in all parts of the empire, and that would be just and satisfactory. To the remark that the British distillers had been put to a great expense by the alteration in their premises, the answer was, that the British distillers continued to be in a very prosperous and flourishing state.

Petition to be printed.

LIBRARY OF THE HOUSE OF COMMONS.] Mr. Agar Ellis moved for the Appointment of a Select Committee, to inquire into the present state of the Library of the House of Commons, and to take into consideration what further regulations might be necessary for its management, and to report thereon to the House.

Mr. *Spring Rice* seconded the Motion, and expressed his surprise that the necessity of having a well-regulated Library had not been earlier felt by the House. He had been one of the first persons to recommend the formation of a library, and those Members who opposed his views, were now sensible of its utility. He agreed that it was quite proper to inquire if it could not be placed on a more advantageous footing. At the same time, he must bear his testimony to the merits of Mr. Spiller, the Librarian, whose knowledge and attention afforded every possible facility to those hon. Members who wished to avail themselves of the means of information which the Library afforded.

Sir *R. Inglis* expressed his full concurrence in what had been said by the hon. member for Limerick, as to the services of Mr. Spiller; he also agreed with the hon. Member, that it was a matter of great astonishment that such a body as the House of Commons should have gone on, until three years ago, without a Library. It was not possible, he believed, that such a fact could be stated of any other deliberative assembly.

Mr. *George Dawson* observed, that in the whole range of public men, there was not a more meritorious individual than Mr. Spiller. He had not only exerted himself to the greatest degree in the arrangements of the Library, but in the preparation of copious indexes to all the public statutes from 1801 to 1828, which were invaluable for purposes of reference. This latter occupation was not comprehended in Mr. Spiller's official duties; and under all the circumstances, the salary of the Librarian, which was only 300*l.* a-year, appeared to be an inadequate remuneration for so much and such beneficial labour. He trusted, therefore, that House would be convinced of the propriety of augmenting Mr. Spiller's salary.

Mr. *Warburton* also bore testimony to Mr. Spiller's merits. He understood there was a large collection of papers belonging to another House, containing important and valuable documents, which were inaccessible and useless for want of an index. If an index could be formed, so that a reference to these important papers could be easily made, it would be a great advantage.

Mr. *Hume* said, although no one could

value Mr. Spiller's services more highly than he did, yet he must protest against any increase of his salary, if it were intended to be proposed. 300*l.* a-year appeared to him to be a sufficient remuneration for his duties as a Librarian. At the same time, he should not object to any regulation which should remunerate him for any additional labour, not falling within the scope of his official duty.

Motion agreed to, and the following Committee appointed:—

Mr. Agar Ellis, Mr. Secretary Peel, Mr. Spring Rice, Lord Viscount Lowther, Lord Viscount Morpeth, Mr. Littleton, Mr. Cust, Mr. Ridley Colborne, Mr. George Dawson, Sir Robert Inglis, Sir Henry Hardinge, Mr. Williams Wynne, Sir George Clerk, Sir James Graham, and Mr. Courtenay.

Malt Duties.] Mr. *George Dawson* rose to move, pursuant to notice, for leave to bring in a Bill to amend the Act of 7 and 8 Geo. 4th, cap. 54, relating to the levying of the Duties on Malt. The regulations which were contained in the Bill which he proposed to introduce had been agreed upon in certain conferences that had taken place between a deputation of the Maltsters and the Commissioners of the Excise Board; and he therefore supposed this Bill would not meet with any opposition. Amongst other alterations, this Bill would do away with the Barley-book, in which the maltster was obliged to enter the quantity of barley he had taken in each day, the quantity he had on hand, and the quantity he sent out. It also altered the number of days allowed for the sprinkling of barley from twelve to eight days, and it likewise contained an important regulation for the abolition of the certificate system. These regulations would be productive of great advantage to the trade. There was one other important alteration proposed by this Bill. After the process of sprinkling, under the present law, an allowance of 20 per cent was made for the increase. The Excise Commissioners had shown to the maltsters that that was too much, and it was now determined to leave it at 17½. The right hon. Gentleman concluded by moving for leave to bring in a Bill to amend the Malt Acts.

Motion agreed to, and Bill brought in.

Four-per-Cent Annuities Bill.—Assessed Taxes.] On the Chancellor of the Exchequer moving that this Bill be read a third time,

Mr. *Bright* said, that as a misapprehension had got abroad respecting what had been said last night by the Chancellor of the Exchequer, he would take that opportunity to ask the right hon. Gentleman whether he meant to bring in a bill this Session for the consolidation of the laws relating to the Assessed Taxes.

The *Chancellor of the Excheqeur* said, that it was not his intention to bring in such a bill this Session. The consolidation of the Stamp Acts, which was the consolidation of 152 Acts of Parliament, had been attended with so much labour, that he could not venture to involve himself in a work of similar labour during the present Session. Some progress had been made in the consolidation to which the hon. and learned Gentleman alluded, which would be of use in a future Session of Parliament.

Mr. *Hume* thought that the excuse just made by the Chancellor of the Exchequer, for not bringing forward a bill for the consolidation of the laws relating to the Assessed Taxes was but a very bad one. If the right hon. Gentleman himself had not time for such labour, his right hon. friend near him (Mr. Herries), who had not introduced any bill this Session, was not equally occupied, and might find time for introducing such a measure.

Mr. *Herries* hoped that he was never backward in taking his due share of ministerial labour. At the same time he thought that the House would hardly deem it necessary to have the consolidation of the Stamp Acts, and of the Acts relative to the Assessed Taxes before it at one and the same time. It was not a question of urgent necessity; although desirable, it was not so much so as to make the House submit to the inconvenience of hurrying it forward when there was so much other business before it.

Mr. *Bright* had heard the answer of the Chancellor of the Exchequer with much pain, as a great many cases of oppression had taken place under the existing laws. Perhaps the right hon. Gentleman would allow the subject to be referred to a committee, in order that it might examine whether any and what alterations could be made in the present Acts; for sure he was, that an interpretation had been put upon some of them which was never intended by their framers.

Mr. *Hume* was happy to hear that the right hon. President of the Board of Trade was not reluctant to take his share in this labour. He thought that some consolidation of these laws were necessary, because there were as many cases reversed as confirmed in the appeals made to the judges against the interpretation put upon them by the magistrates in the country. It was a toss up whether the magistrates were right or wrong. It was a libel on the body of 600 gentlemen to say that they were not able to take more than one idea into their consideration at a time. Surely they were able to consider in one Session the consolidation of the Stamp Acts, and of the laws relating to the Assessed Taxes.

Mr. *George Dawson* said, that if the hon. member for Aberdeen would only wait till their re-assembling after the recess, he would then see that his right hon. friend the President of the Board of Trade had six bills to introduce, though he had not as yet introduced one bill in the course of the present Session.

Mr. *Robinson* trusted that the consolidation of the Assessed Taxes Acts would be rendered unnecessary by a total repeal of those taxes in the next Session. They were most unjust and unequal in their operation, and it would therefore be a boon to the people to repeal them. At the same time he must observe, that the hon. member for Aberdeen had not at all exaggerated the uncertainty which prevailed as to the proper interpretation of these Acts. Out of 130 cases of appeal against decisions under those Acts, it appeared from a return laid on the Table, that in only 34 cases had the original decisions been confirmed. Under such circumstances it was quite clear that there must be a great deal of injustice committed by means of these Acts. He admitted that the Treasury was generally disposed to afford any aggrieved parties relief, but that did not diminish his wish to have these taxes repealed.

The Bill was then read a third time.

The *Chancellor of the Exchequer* said, that he rose with some degree of shame to propose to add six riders to the present Bill. He admitted that the custom of adding riders to bills was one, in his opinion, "more honoured in the breach than in the observance." At the same time he must observe, that the clauses were of a mere formal nature, and did not at all affect the principle of the Bill.

The clauses were put and agreed to, and the Bill passed.

On putting the question on one of the clauses,

Mr. *Hume* asked the Chancellor of the Exchequer whether there was any intention to consolidate the Acts relating to the Post-office. He could assure the right hon. Gentleman that such a consolidation was required. In many cases regulations had been made by the Post-office which were not, and could not be, justified by any existing law.

The *Chancellor of the Exchequer* said, that the Acts relating to the Post-office were now under consideration, and would shortly be consolidated.

Mr. *Hume:* This Session?

The *Chancellor of the Exchequer* could give no other answer than that the subject was under consideration.

STAMP DUTIES ACTS.] On the Motion of the Chancellor of the Exchequer, the House resolved itself into a Committee on these Acts.

The *Chancellor of the Exchequer* said, that it was understood yesterday evening that he should, upon this occasion, merely submit to the House the schedule of the Duties to be continued by the new Act, and should defer the explanation of them to the next opportunity. In conformity with that understanding he would merely say that there was no intention, as an hon. Gentleman had supposed, to increase the Stamp Duties in this kingdom. There was much done in the schedule to simplify the mode of imposing these duties, to give accommodation where accommodation could be afforded, and to diminish the general expenditure of the department. As to the propriety of having two columns in the schedule, one containing the present duties, and the other containing the alterations proposed to be made in them, he had only to say, that in many cases it would be extremely difficult, and in some impossible, to make such an arrangement. Where it was practicable he had no objection to agree to the suggestion. He then moved a Resolution repealing all the existing Stamp Acts, and enacting in their stead the duties contained in a Schedule which he handed to the Chairman.

Mr. *Rice* (confirmed by Mr. Hume) stated, on behalf of the people of Ireland and of Scotland, that nothing but a schedule containing the past and the present duties would enable practitioners in those countries to know what stamps they ought to employ on different legal instruments. Such an arrangement would save the right hon. Gentleman thousands of letters, which he would otherwise be obliged to answer.

Mr. *Bright* hoped that the duties on insurances, and also on small receipts, would be reduced. He further hoped that the new regulations would enable legal practitioners to act with less uncertainty than now as to the stamps which they ought to employ. The present regulations had caused many cases of intolerable hardship, and he thought the Chancellor of the Exchequer would do no more than justice, while he would confer a great benefit on many persons, if he introduced a clause declaring that all stamps on executed instruments, though contrary to the regulations of the present Acts, should be held valid and legal. He hoped that the Bill would be brought in as speedily as possible after the holidays.

Mr. *Robinson* also suggested the propriety of reducing the smaller receipt stamps.

The *Chancellor of the Exchequer* said, that he would pay every attention in his power to the suggestions of the two last speakers. He would bring in the Bill as soon after the recess as possible. At the same time he meant to say, that 152 separate Acts of Parliament, containing a great number of minute regulations, and which were to be consolidated into twelve Acts, gave a great deal of trouble. In the new arrangement also he had attached a schedule to each Act, so that every person might find together the stamps in which he was interested and the law relating to them.

Resolution agreed to; ordered to be reported to-morrow.

TOBACCO DUTIES ACTS.] On the Motion of the Chancellor of the Exchequer, the House resolved itself into a Committee on these Acts.

The *Chancellor of the Exchequer* said, that last Session his right hon. friend near him introduced a bill to prohibit the growth of Tobacco in Ireland, but that bill not being favourably received by the House, it was withdrawn. The measure he meant to propose had for its object to regulate the growth of Tobacco in every part of the Empire, prohibiting it nowhere, but imposing on it a certain rate of duty. It was for a long time supposed that the growth of Tobacco was prohibited in Ireland as well as in this country, but this was an error, and as soon as it was discovered that no law prohibited the cultivation of Tobacco in Ireland, many persons engaged in that cultivation to a considerable extent. If the expense of cultivating Tobacco in Ireland was equal to the expense of cultivating it in foreign countries, the grower, it was plain, might obtain a profit equal to the high duty paid on the importation of Tobacco, subjecting the Revenue to a loss of duty on all the Tobacco consumed in Ireland. As the feeling of the House was opposed to prohibiting the growth of Tobacco in that country, and as it was fair that the Tobacco grown should pay duty as well as the Tobacco imported, nothing remained but to impose such a duty on all Tobacco grown within the Empire. It would be impossible to restrict the growth of Tobacco to Ireland, and therefore the new regulation would apply to the whole Empire. A great difficulty was felt in fixing the amount of duty, so as to protect the Revenue and not prohibit the cultivation. The expense of growing Tobacco here and abroad, as well as the expense of carriage, had all to be taken into consideration, and as the result, he had fixed on 1*s*. 8*d*. per pound as a fair tax. If he should find it otherwise, he should be obliged to renew his application to Parliament. He would then only further observe, that if it should be found at any time expedient to reduce the duty on foreign Tobacco, no persons engaged in the cultivation of the plant at home would have any claim for compensation on account of vested rights; care had been taken to provide against such claims. The right hon. Gentleman moved, "that the Act passed in the twelfth year of Charles 2nd, prohibiting the cultivation of Tobacco, should be repealed, and that there should be levied on every pound weight of manufactured Tobacco, the growth or produce of the United Kingdom, an Excise duty of 1*s*. 8*d*., to be paid by the grower. These Resolutions to be taken into further consideration on April 26th."

Mr. *Poulett Thomson* would not address himself to the House in its then state; but he should feel it his duty to oppose this provision on the third reading. It introduced a new species of taxation, that was at once inconvenient, oppressive, and expensive, without the probability that it would protect the Revenue. Total prohibition was, in his opinion, better than these regulations.

Mr. *Hume* also would rather prohibit the growth of Tobacco altogether in this country than adopt these regulations. He thought the duty on Tobacco too high, but at the same time he thought the right hon. Gentleman should be careful, as foreign Tobacco yielded a large revenue, how he permitted the plant to be cultivated at home. The machinery connected with the new scheme would necessarily be open to many objections which deserved serious consideration.

Mr. *Spring Rice* did not concur with his hon. friends who opposed this measure. A new branch of industry was opened, and if that could be prosecuted without injury to the Revenue, the Chancellor of the Exchequer was not to be condemned for sanctioning the experiment. Several persons in Ireland had already embarked large capitals in the cultivation of Tobacco, and it would be hard on them to prohibit the exercise of their industry. He concurred with the right hon. Gentleman in thinking that these persons ought to have no claims for compensation should the duty on Tobacco be reduced; but he could not give his consent to any act of absolute prohibition, and he was surprised that his hon. friends, the members for Dover and Aberdeen, should advocate that principle.

Mr. Alderman *Wood* hoped that the Chancellor of the Exchequer might find a substitute for the revenue he derived from Tobacco, and then every man might cultivate what he pleased.

Mr. *Warburton* would be satisfied if it could be shown that Tobacco could be profitably cultivated, and yield a revenue equal to that at present obtained from Tobacco. He believed, however, that it would be impossible to collect the present amount of revenue from Tobacco grown at home. The opportunities of evading the duty would be numerous, and they would all be taken advantage of.

The *Chancellor of the Exchequer* found it singular that he should be of the same opinion as the hon. Members to whom he was generally opposed. He had no doubt that as to the Revenue, prohibition would have been the safer course, and as he must protect the Revenue, for that was a *sine quâ non*, he should be obliged to resort to prohibition if the duty were found insufficient to answer the purpose. Tobacco was already cultivated to a considerable extent, and therefore he was under the necessity of proposing a duty instead of trying prohibition.

Mr. *Robinson* thought the same duty as was levied in the United Kingdom ought also to be levied in Canada. Tobacco could be grown there as well as in Virginia, and he did not know why the duty of 3*s*. 9*d*. per pound should be continued.

Mr. *Bright* was of opinion, if the privilege were extended to Canada, that it ought also to be extended to the West Indies. The Colonies there were labouring under great privations, and would be benefitted by such an advantage. We might then defy the Americans, and furnish ourselves with an article of the finest quality.

The *Chancellor of the Exchequer* had before argued this point with his hon. friend, and had the misfortune to differ from him. The present rate of duty gave a bonus to Tobacco grown in the Colonies sufficient to encourage its cultivation, while the duty to be imposed at home was only to secure the Revenue. It would be anything but a bonus on the cultivation of Tobacco in England.

COMPENSATION TO OFFICERS OF COURTS OF LAW.] The House resolved itself into a Committee on this Bill,

The *Chancellor of the Exchequer* said, that by a Bill to effect Legal Reform, brought in by his right hon. friend, the Secretary of State, there would be a necessity to make certain payments from the Consolidated Fund, and the object of the present measure was, to authorise the appropriation of certain surplus fees to this purpose. The Bill would make no additional charge on the Consolidated Fund. The Chancellor then submitted two Resolutions to the effect that compensation should be made out of the Consolidated Fund to Officers of the superior Courts of Justice, whose legal fees should be reduced by the operation of any Act passed this Session, and the Lords of the Treasury be authorised to purchase the interest of any person in any office or emolument in the superior Courts which may be abolished, the purchase money to be paid out of the Consolidated Fund.

Mr. *Hume* did not wish that any measure of reform should be stopped for want of means to compensate those who might have a vested right in abuses, but he wished to see a return of the greatest amount that would be required. He believed that the amount would be upwards of 100,000*l.*, but he hoped the Return would be laid on the Table before the Bill proceeded another stage. The whole subject required to be carefully investigated.

The *Chancellor of the Exchequer* stated, that the measure was necessary with a view to his right hon. friend's bill, but that one of its objects would be to guard against extravagant compensation. On former occasions the reforms made were not complete, and some of the high officers received large compensations, leaving others to be afterwards provided for out of the public purse. The bill of his right hon. friend was of an extensive nature, and before it could be carried through it was necessary that all fees should be taken away from individuals. If after making the Officers a compensation there was a surplus, the public would have the benefit; if there were not it must contribute the compensation out of other sources of supply.

Resolutions agreed to.

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